

# Sino-Tibetan Relations 1990-2000: the Internationalisation of the Tibetan Issue

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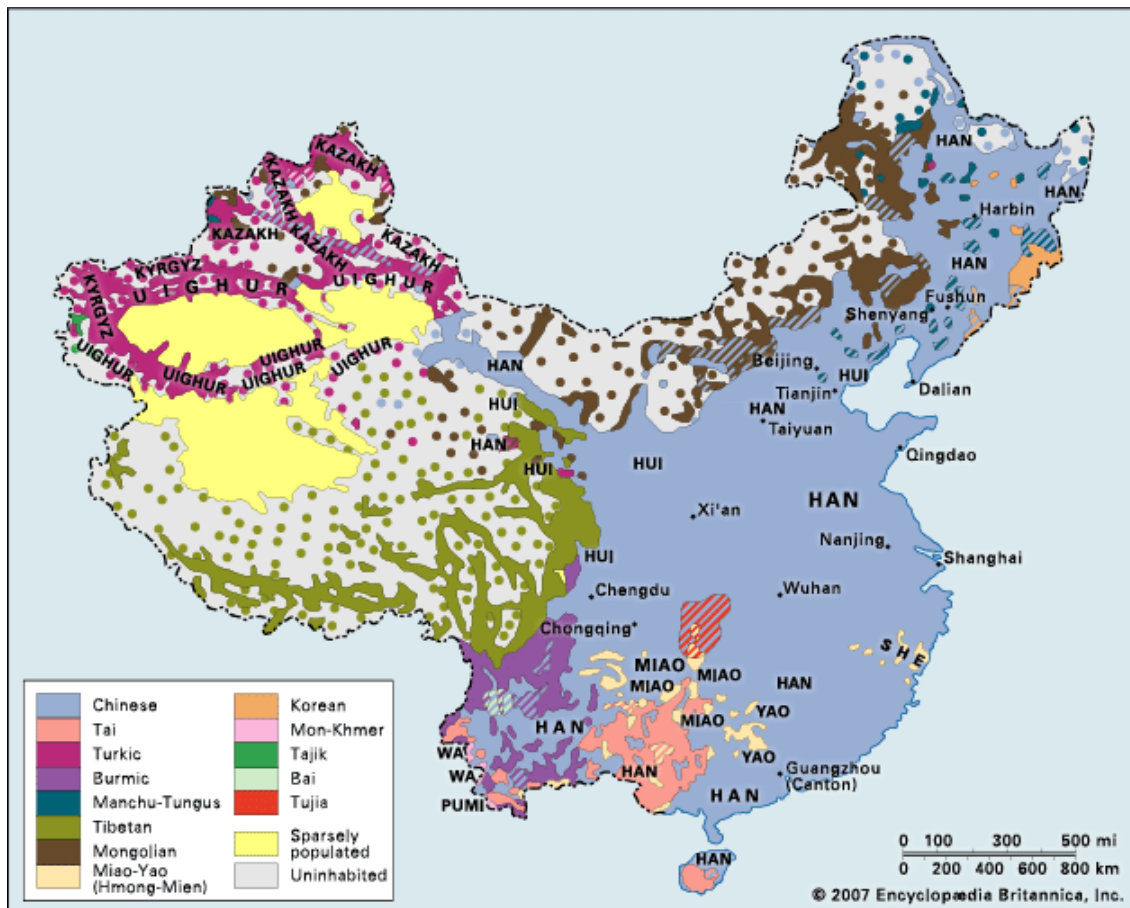
Sino-Tibet relationship is a highly complex, little studied and much contested field of study. The complexities and contestations of the field call for a rigorous study of ground realities and relevant documents. However, the Chinese official documents and to some degree that of Tibetan Government-in-Exile are beyond the reaches of a PhD student. Yet I consulted works of a decent number of scholars, whose thoughts have influenced my own understanding of this convoluted issue. It would be ignoble not to appreciate their contributions in my research even though I cannot mention all their names. But I especially want to thank three scholars who have over the course of my research become almost like my unofficial advisors and to whom I often turn for information, advice and guidance. They are Dr. Robert Barnett, Senior Research Scholar and Lecture at Columbia University, Tashi Tsering, a renowned Tibetan

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Although I cannot individually acknowledge each and every one of those who helped me in my academic pursuit, I am mindful of their contributions and feel deeply grateful for their kindness.

Ethnographic Map of China showing the distribution of Tibetan and other ethnic nationalities.



Source: Encyclopedia Britannica

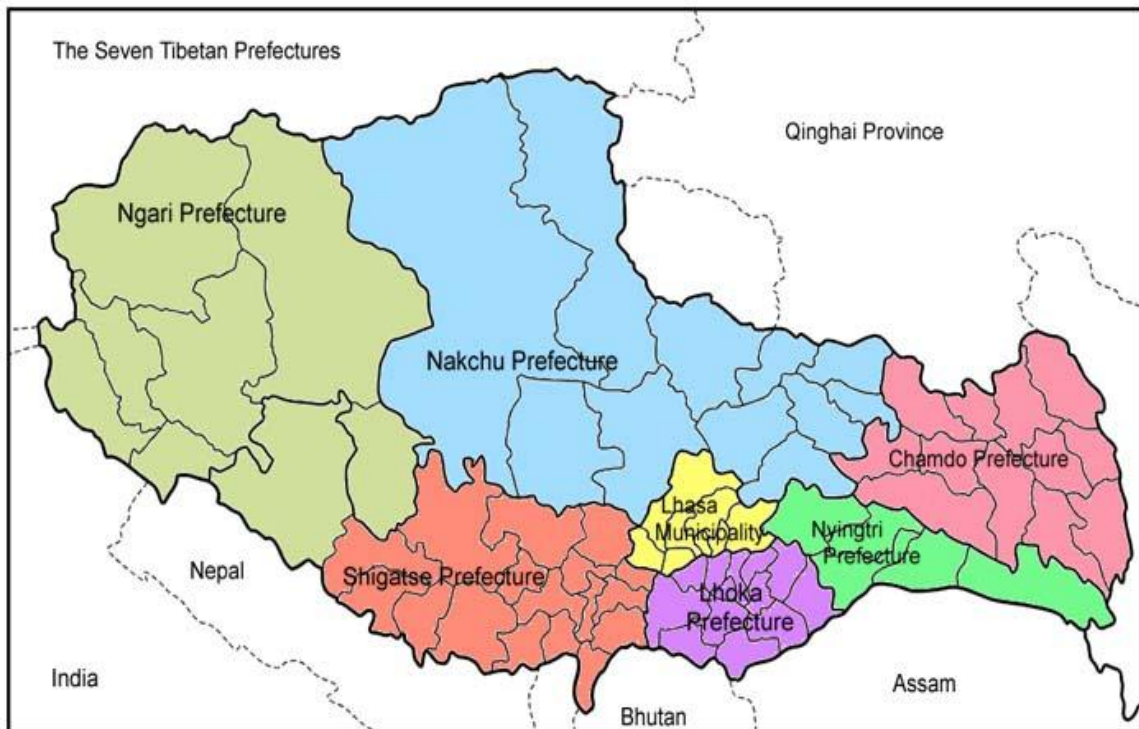


Map of Tibet according to the Tibetan Government-in-Exile



Source: Planning Council, Central Tibetan Administration, Dharamsala.

Map of Tibet According to the Government of the People's Republic of China  
Tibet Autonomous Region Administrative Map (1965)



Source: [www.chinahighlights.com](http://www.chinahighlights.com)

## List of Abbreviations

ATPD: Assembly of Tibetan People's Deputies  
CCP: Central Communist Party  
CNOOC: China National Offshore Oil Corporation  
CPC: Communist Party of China  
CPPCC: Chinese People's Political Consultative Conference  
CTA: Central Tibetan Administration  
DIIR: Department of Information and International Relations  
DMC: Democratic Management Committees  
FBIS: Foreign Broadcast Information Service  
FRUS: Foreign Relations of the United States  
GEMI: Geological Environmental Monitoring Institute (Beijing)  
GIF: Global Infrastructure Fund  
GOI: Government of India  
ICCPR: International Covenant on Civil and Political Rights  
ICT: International Campaign for Tibet  
ICJ: International Commission of Jurists  
IEA: International Energy Agency  
IPCS: Institute of Peace and Conflict Studies  
ITBP: Indo Tibetan Border Police  
IUCN: International Union for Conservation of Nature  
JNOC: Japan National Oil Corporation  
KMT: Kuomintang  
LNRA: Law on National Regional Autonomy  
MEA: Ministry of External Affairs  
NEPA: National Environmental Protection Agency  
NPC: National People's Congress  
PCART: Preparatory Committee for the Autonomous Region of Tibet  
PLA: People's Liberation Army  
PRC: People's Republic of China  
ROC: Republic of China  
SEPA: State Environmental Protection Administration  
SFT: Students for Free Tibet

SNWT: South to North Water Transfer  
SWB: Summary of World Broadcast  
TAP: Tibet Autonomous Prefecture  
TAR: Tibet Autonomous Region  
TCHRD: Tibetan Center for Human Rights and Democracy  
TIN: Tibet Information Network  
TPPRC: Tibetan Parliamentary and Policy Research Centre  
TSG: Tibet Support Groups  
TWA: Tibetan Women Association  
TYC: Tibetan Youth Congress  
UDHR: Universal Declaration of Human Rights  
WTN: World Tibet Network News

# PART I A GLIMPSE INTO TIBET'S PAST

## Chapter 1 Tibet: A Brief Historical Background

### 1.1.1 Introduction

Lying at an average height of 4000 metres above the sea level, Tibet,<sup>1</sup> popularly known as the 'roof of the world', is virtually cut off from its neighbours by some of the world's highest mountain ranges. It is bounded by the Himalayas in the south, the Karakoram in the west and the Kun Lun, Altyn and Qilian ranges in the north. The gorges of Salween, Mekong and Yangtze separate her from China in the southeast. Only in the northeastern part of Tibet, in the Kokonor area, is the plateau relatively more accessible. The Tibetan plateau is literally the fountainhead of Asia and the primary source of many of the great river systems in the continent, including Ganges, Indus, Sutlej and Brahmaputra, which flow through India, Pakistan, Nepal and Bangladesh and Salween, Mekong, Yangtze and Yellow Rivers that meander forcefully through China, Burma, Thailand and other Asian countries. All these majestic geographical features lie in the high plateau, which extends almost 2,500 kilometres from east to west and 1,200 kilometres from north to south, the total area of which is approximately 2.5 million square kilometres<sup>2</sup> and constitutes approximately a quarter of the total landmass of the People's Republic of China (PRC).<sup>3</sup> Much of this sparsely populated land has always remained remote, inhospitable and uninhabited terrain of mountain ranges and deserted plains;<sup>4</sup> yet

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1 Throughout the dissertation Tibet refers to the ethnographic Tibet, which encompasses the entire Tibetan plateau, including the Tibet Autonomous Region (TAR) and other regions inhabited by Tibetan communities that lie in the neighbouring Chinese provinces of Qinghai, Sichuan, Gansu and Yunnan. The Chinese Government, however, considers Tibet and the TAR, which the Chinese Government formally created in 1965, equivalently. See the maps of Tibet on pages vii-ix.

2 The area of the present "Tibet Autonomous Region," consisting of U-Tsang and a small portion of Kham, is 1.2 million square kilometres, leaving the rest ethnographic Tibet outside the TAR in the four Chinese provinces.

3 Warren W. Smith, *Tibet Nation: A History of Tibetan Nationalism and Sino-Tibetan Relations*, Boulder, CO: Westview Press, 1996, p. xxii.

4 "The northern part of Tibet, representing about three-sevenths of the whole country, is a virtually uninhabited wilderness of mountain spurs and ranges, interspersed with bleak barren plans, stretches of soda-encrusted soil, and innumerable small lakes and pools of brackish water... A further two-sevenths of the country, still high and cold but tempered by a more southerly situation, lying approximately between latitudes 30° and 32° North, is a land of sparse grazing and rolling plateau, lofty ranges of snow-capped mountains, and great lakes. Here small and scattered groups of nomadic herdsmen, a people of extraordinary hardiness and endurance, wander with their tents, tending great herds of yak, sheep and goats... The remaining two-sevenths of the country comprise the extensive valley system of the Tsangpo and the valleys of Salween, the Mekong and the

fertile land suitable for agriculture dots the southern, eastern and northeastern regions of Tibet. “Five sixths of the settled area is distributed over an arc running from west of Lhasa, in the Tsangpo valley, around by the east and northeast to the Kansu frontier,” writes Owen Lattimore.<sup>5</sup> Due to great variety of climate, rainfall and temperature differences little vegetation except for grasses grow on the uplands, however, in the river valleys and warmer locations sufficient crops of barley, beans, wheat, buckwheat and peas grow. The remoteness and relative isolation of Tibet, extensive stretches of grazing land and limited cultivatable land might have resulted in a significant pastoral and nomadic economy in the central and northern plains of Tibet. Domestic yaks, sheep, goats and horses are the primary animals raised and herded by the nomads.

With only few detailed studies into the ethnic origins of the Tibetan race, it is hard to establish conclusively the racial origin of the Tibetan nation, which Stein proclaims “is still a mystery,” however; it is evident that many different populations have over the long course of history lived in Tibet.<sup>6</sup> Many Tibetologists agree that the Tibetans may be descendants of the semi-nomadic non-Chinese Qiang tribes (Ch’iang) of Eastern-Central Asia, who around the first and second centuries were forced to migrate to various parts of the Tibetan plateau to escape Chinese expansionism and with whose language and culture Tibetan language and culture share similarities.<sup>7</sup> Other races that may have contributed to the racial makeup of the Tibetan people include among others Mon,<sup>8</sup> who probably were one of the earliest inhabitants on the lofty plateau,<sup>9</sup> isolated groups of Mongols, and the Tocharians, an early Indo-European race who from as early as the beginning of the second millennium B.C. had

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Yangtze. These southern areas of Tibet lie on the same latitude as Cairo, and since they represent the only favourable agricultural lands in the whole country, it is here that the sparse population of Tibet...is naturally concentrated,” writes Snellgrove and Richardson in their *A Cultural History of Tibet*. David Snellgrove and Hugh Richardson, *A Cultural History of Tibet*, London: Weidenfeld and Nicolson, 1968, p.19.

5 Owen Lattimore, *Inner Asian Frontiers of China*, Boston: Beacon Press, 1962, p. 207.

6 R. A. Stein, *Tibetan Civilization*, Stanford, CA: Stanford University Press, 1972, p. 27.

7 Owen Lattimore, *Inner Asian Frontiers of China*, pp. 215-216.

8 The exact ethnic composition of Mon is far from clear as it is a highly general term that is “applied to populations of various languages and descent”. See Giuseppe Tucci, *Tibetan Painted Scrolls*, Rome: La Libreria dello Stato, 1949, p. 6. According to R. A. Stein, Mon is a general term that “covers all sorts of aboriginal tribes of the wooded Himalayan hills (e.g. Mishmi, Abors) and is possibly related to the word ‘Man’ used in literary Chinese for all southern ‘barbarians’”. But even in the earliest texts mention is also made of Mon peoples in the east, along the Sino-Tibetan border”. Quoted in R. A. Stein, *Tibetan Civilization*, pp. 34-35.

9 Warren W. Smith, *Tibet Nation: A History of Tibetan Nationalism and Sino-Tibetan Relations*, p. 9.

lived on the borders of the Tibetan plateau.<sup>10</sup> Stein even speculates traits from ‘Red Indian’, Hellenic or Caucasian element mixed in the Tibetan race based on observations of people in Kongpo and Northeastern Tibet. In sum he concludes that “anthropologists merely distinguish two types: one distinctly Mongoloid and of slight build, spread throughout Tibet, and the other, of taller build, typical of Kham,” which accords with the western science categorisation of the Tibetan race as Mongoloid.<sup>11</sup> Whatever original kinship relations may have existed between the earliest Chinese and Tibetans, it is obvious that adaptation to vastly different environments has produced two populations with distinct physiological structures, cultural manifestations and racial identities. The Tibetan language belongs to the Tibeto-Burmese family, being written in an alphabetical form, acquired from the Indian Devangari script in the seventh century.

Despite the huge size of the land and the wide-spread population distribution, there exists a common language throughout much of geographical and economic Tibet, which acts as a cultural nexus that brings together the whole of ethnic Tibet to form a relatively homogenous cultural oasis. Classified as belonging to the Tibeto-Burman language, Tibetan is characterised by a written language that is common throughout ethnographic Tibet and an oral language that is epitome of diversity. Tibetan is a distinct language that bears no or minimal resemblance to either of Indian or Chinese languages. The Tibetan written language was developed in the 7<sup>th</sup> century, during the reign of King Song-tsen Gampo,<sup>12</sup> and since then has served as the only literary language for the Tibetans.

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<sup>10</sup> Ibid., p. 9.

<sup>11</sup> R. A. Stein, *Tibetan Civilization*, p. 27. The Soviet anthropologist N. N. Cheboksarov described Neolithic remains found in Kansu as preserving primary Mongoloid racial characteristics... Karl Jettmar suggested that the Kansu “Americanoids” were possibly the ancestors of the Tibetans. Karl Jettmar, ‘The Origins of Chinese Civilization: Soviet Views’, in *The Origins of Chinese Civilization*, ed. David N. Keightley, Berkeley: University of California Press, 1983, p. 222. According to this thesis “Americanoids” or primary Mongoloid types, continued to exist in some isolated areas in the New World, in parts of Siberia, and perhaps in Tibet. Howells in, *The Origins of the Chinese People*, ed. David N. Keightley, p. 315.

<sup>12</sup> Song-tsen Gampo, also known as Tride Song-tsen, was the thirty-third king of Tibet. According to the modern Tibetan historian Tsepon W. D. Shakabpa, Song-tsen Gampo was born just one year prior to the founding of the Tang Dynasty in 617 A.D. Tsepon W. D. Shakabpa, *Tibet: A Political History of Tibet*, New Haven and London: Yale University Press, 1967, p. 25.

## 1.1.2 Brief Historical background

### 1.1.2.1 Tibetan Kings (624-842 AD) and Tang China (618-756 AD)

Tibet and China, like any other neighbouring states, have enjoyed informal contacts and relations, especially across border regions, for thousands of years. However, the recorded history of Sino-Tibetan relations commenced in the seventh century, during the lifetime of Tibet's most famous King Song-tsen Gampo (617-650 A.D.), under whose rule Tibet was unified and consolidated into a powerful State. Tibet emerged as a formidable military power and for several centuries remained a very powerful nation whose army foraged into the neighbouring territories—conducting expedition into India in 648, annihilating the Tu-yu-hun people in 670, capturing Chinese strongholds in Chinese Turkistan, dominating the kingdom of Nepal, occupying whole or part of the Chinese territories of Kansu, Szechwan and Yunnan.<sup>13</sup> Tibet's military campaigns and national interests often conflicted with her neighbouring countries, especially with China, which had actuated numerous battles between the two. From the time of Song-tsen Gampo to that of Ral-pa-chen (806-838 A.D.), Tibet and China had constantly engaged in conflicts. According to Prof. Dawa Norbu,<sup>14</sup> fifteen battles were fought between the two countries, most of which were initiated by Tibet and ended in signing of treaties. Consequently, eight treaties were signed between China and Tibet in a period of little more than one hundred and twenty years, from 706 to 822 A.D., that decided issues ranging from the demarcation of the boundary between Tibet and China to extraction of tributes, from restoration of peace between the two countries to treatment of the two as equal.<sup>15</sup> These treaties stand as testimonies to the military might of Tibet, which in the 7<sup>th</sup> century had reached its pinnacle, and was indeed one of the great military powers of Asia. During its most glorious days the Tibetan empire extended into Chinese Turkistan to the far north, Central Asia to the west and deep into China. In 640 A.D., in order to avoid further wars with Tibet, the Tang Emperor T'ai Tsung offered his daughter Princess Wen-cheng Kun-chu<sup>16</sup> in marriage to Song-

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13 Hugh Richardson, *Tibet and Its History*, 2<sup>nd</sup> revised & updated, Boulder & London: Shambhala, 1984, pp. 29-30.

14 Dawa Norbu was a Tibet scholar, a political analyst and an associate Prof. at the Jawaharlal Nehru University in New Delhi. He had written widely on the political situations of Tibet, Sino-Tibetan relations and other geopolitical issues. His latest book is *China's Tibet Policy*.

15 Dawa Norbu, *China's Tibet Policy*, Richmond, Surrey: Curzon Press, 2001, pp. 34-35.

16 When Song-tsen Gampo first sought the hand of Princess Wen-chen Kun-chu to set up a marriage alliances with China, Tang Emperor T'ai-tsung refused and turned down the proposal. However, when the proposal was extended the second time, after the Tibetan king attacked and defeated Tu-



tsen Gampo, who had already taken Nepalese Princess Bhrikuti as one of his wives,<sup>17</sup> and thus started a relationship between Tibet and China, which came to be called as one between “Uncle” and “Nephew”.<sup>18</sup>

The next Tibetan king who had achieved an almost equal feat as Song-tsen Gampo, in terms of capturing lands, winning tribute and revolutionising cultural landscape, was Trisong Detsen (754-797), who assumed power more than a century after Song-tsen Gampo’s death in 650 A.D. The ascension to the power of Trisong Detsen in 755 gave the Tang court a good opportunity to send a mission to renew friendship. A year later, in 756, the two nations had a peace agreement despite which the Tibetans continued with their military expansion and captured the city of Sining and continued to advance into Kansu.<sup>19</sup> By 760 A.D., the Tibetans had conquered much of Sichuan and Northern Yunnan and showed no indication of letting up the military expeditions. The Chinese had to pay an annual tribute of 50,000 silk rolls to gain respite from the constant attacks. When the Chinese failed to pay this tribute in 763, the Tibetan army launched a fierce attack and captured the Chinese capital at Changan (Sian) and set up Wen-cheng Kun-chu’s brother as the new Emperor of China, which lasted only for fifteen days.<sup>20</sup> By 790, Trisong Detsen’s army had conquered all of the old Tibetan positions along the Silk Road and by the time of his death in 797, Tibet was in control of vast portions of central Asia. One historical record of Western Tibet describes Trisong Detsen’s reign thus: “All the countries on the four frontiers were subdued. China in the east, India in the south, Baltistan and Gilgit in the west, and Kashgar in

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yu-hun with whom China was at war in 634 and encamped an army of 200,000 men on the western border of China, the Chinese Emperor conceded and gave his daughter away to Song-tsen Gampo in marriage. For Details see, Tsepon W. D. Shakabpa, *Tibet: A Political History of Tibet*, p. 26; Warren W. Smith, *Tibet Nation: A History of Tibetan Nationalism and Sino-Tibetan Relations*, pp. 60-61.

17 Dawa Norbu writes, “Usually a Tang princess was given in marriage to a barbarian chieftain whose fighting power the Chinese could not match. This was called, as we might recall, ho-chin policy, which was designed to resolve problems of war and inequality in inter-state relations. By establishing kinship ties with a barbarian power, the latter’s fighting power against China was subdued. In so doing, it also resolved one of the major problematics of Confucian inter-state relations which insisted on the superiority of the Han state over all other states”. Dawa Norbu, *China’s Tibet Policy*, p. 37.

18 In three of the Sino-Tibetan treaties, signed in 732, 783 and 822 A.D., this kinship terminology was used frequently, perhaps as a diplomatic phraseology to indicate amicable relations between the two nations, which according to Smith “did not imply any political dominance of China over Tibet”. Warren W. Smith, *Tibetan Nation: A History of Nationalism and Sino-Tibetan Relations*, p. 74.

19 Ibid., p. 74.

20 S. W. Bushell, ‘The Early History of Tibet from Chinese Sources’, *Journal of the Royal Asiatic Society*, Vol. 12, 1880, p. 476.

the north were brought under his power”.<sup>21</sup> There is no doubt that Trisong Detsen’s rule was one of the defining moments in Tibetan history. Culturally also, his reign was one of the most significant and revolutionary periods of the nation because Buddhism was adopted as the official State religion of Tibet, the great Indian Buddhist masters Padmasambhava, Shantirakshita and Kamalashila were invited to Tibet to propagate the religion, the first Buddhist monastery in the land was constructed in Samye, the first batch of Tibetan monks were ordained and a group of highly learned scholars and translators were produced who translated a huge number of important Buddhist texts into Tibetan.

The third great king of Tibet, Tritsug Detsen (ruled 815-838),—also known as Ralpachen—was also the last of the Buddhist king to rule whole of Tibet. Ralpachen was an extremely devout to Buddhism and following in the footsteps of his predecessors he made remarkable and lasting contributions to the cultural flowering of Tibet. During his rule, the king undertook an ambitious project of revising and standardising the translated Buddhist texts by inviting three Indian pandits, Shilendrabodhi, Dhanashila and Jinamitra, who worked with two of Tibet’s greatest translators, Kawa Paltsek and Chogro Lui Gyaltsen. Together these scholars revised majority of the Buddhist texts, which had been translated earlier, translated many new texts and produced the first Sanskrit-Tibetan lexicon, titled Mahavyupatti.<sup>22</sup> He also invited expert craftsmen from Nepal, China and Chinese Turkestan to build new temples. Politically, Tibet under Ralpachen successfully signed a peace treaty with China in 822, which was inscribed on three stone pillars; one erected at Gugu Meru to demarcate the borders between the two nations, one in Lhasa where it still stands, and the third one outside the palace gate of the Chinese Emperor in Ch’angan.<sup>23</sup> The treaty “reaffirmed the boundaries established by the 783 treaty of Ch’ing-shui and restored the former relationship of mutual respect and friendship”.<sup>24</sup> The stone pillar<sup>25</sup> placed in front of the Jokhang temple in Lhasa reads as follows:

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21 Charles Bell, *Tibet Past and Present*, New Delhi: Asian Educational Services, 1992, p. 28.

22 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 49.

23 Ibid., pp. 49-50.

24 Ibid., p. 49.

25 The stone pillar, which stands in front of the Jokhang temple in Lhasa, is a four sided monolith pillar with inscriptions detailing the treaty in dual language of Chinese and Tibetan on one side, a historical introduction in Tibetan on another, bilingual lists of the names of the personnel who witnessed the treaty on the remaining two sides.

The Sovereign of Tibet, the Divine King of Miracles, and the great King of China, Hwang Te, the Nephew and the Maternal Uncle, have agreed to unite their kingdoms...<sup>26</sup>

Tibet and China shall guard the land and frontier, of which they have hitherto held possession. All to the east of the frontier is the country of Great China. All to the west is certainly the country of Great Tibet.

Henceforth there shall be no fighting as between enemies, and neither side will carry war into the other's country. Should there be any suspected person, he can be arrested, questioned, and sent back. Thus the great Agreement has been made for uniting the kingdoms, and the Nephew and Uncle have become happy. ... At Che-shung-shek Chinese territory is met; below this China will show respect. At Tsen-shu-hwan Tibetan territory is met; above this Tibet will show respect.

The Nephew and Uncle, having become intimate, will respect each other according to custom... There shall be no sudden anger and the word 'enemy' shall not even be mentioned...

This Agreement, that the Tibetans shall be happy in Tibet and the Chinese in China and the great kingdoms united, shall never be changed. The Three Precious Ones,<sup>27</sup> the Exalted Ones,<sup>28</sup> the Sun and moon, the Planets and Stars have been invoked to bear witness. Solemn words were also uttered. Animals were sacrificed and oaths taken, and the Agreement was made.

Is this Agreement held to be binding? If this Agreement be violated, whether Tibet or China violates it first, that one has committed the sin. Whatever revenge is taken in retaliation shall not be considered a breach of the Agreement. In this way, the King and Ministers of Tibet and China took oath and wrote this inscription of the Agreement in detail. The two great Kings fixed their seals. The Ministers, considered as holding the Agreement, wrote with their hands. This Agreement shall be observed by both sides.<sup>29</sup>

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26 The term "unite" here must be understood as uniting the two nations in agreement or treaty.

27 Refers to the three Buddhist refuge known as the Three Jewels, which are Buddha, Dharma and Sangha.

28 Refers to beings who have achieved the third level of Mahayana path or higher.

29 Charles Bell, *Tibet Past and Present*, p. 271.

The treaty shows that during the reign of the Tibetan kings, China and Tibet were equal; each a separate state with its own territory. The monolithic stone pillar bearing the inscriptions of the treaty stands as an enduring evidence of the military might of the Tibetan empire and the political dominance it once achieved. Dr. Yihong Pan and Prof Christopher Beckwith reached the conclusion that the Tang China was forced to abandon its traditional superiority and treat Tibet on an equal basis.<sup>30</sup> Even semi-official Communists historians admit, “of course, we do not deny the fact that both the Tang and the Tubo (Tibet) were independent states at that time, and the Tang did not have official rule over Tubo”.<sup>31</sup> The death of Ralpachen at the hands of his ministers in 836 and the assassination of Darma, the elder brother of Ralpachen who took the throne after the demise of Ralpachen, six years later, heralded the end of long lineage of royalty and “the heroic age of the Chosgyal (Religious-Kings)”.<sup>32</sup> Following that, the unified and strong nation of Tibet fragmented into many principalities. “The Tibetans retreated from their Central Asian and South Himalayan empire into their mountainous carapace bounded by the Karakoram, the Kuen Lun, and the Himalayan ranges; and they never again stuck their heads outside those limits,” and left considerable numbers of ethnic Tibetans outside the borders of political Tibet.<sup>33</sup> The subsequent hundred years or so witnessed minimal relations between Tibet and China except for trifling border skirmishes every now and then. By then Tibet’s focus was directed toward India and Nepal from where a strong religious and cultural influence started to pour into Tibet through which a major spiritual and intellectual renaissance came.

#### **1.1.2.2 The Buddhist Revolution in Tibet (842-1247) and the Song Dynasty (960-1126)**

For the next four hundred years Tibet remained a fragmented state with no central authority—a period rife with confusion and internal conflicts, which the Tibetan

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30 Yihong Pan, ‘The Sino-Tibetan Treaties in the Tang Dynasty’, *T’oung Pao* Vol. LXXVIII, 1992, pp. 124-5; Christopher I. Beckwith, *The Tibetan Empire in Central Asia: A History of the Struggle for Great Power Among Tibetans, Turks, Arabs, and Chinese During the Early Middle Ages*, Princeton, NJ.: University Press, 1987, p.22.

31 Wang Jiawei & Nyima Gyailcain, *The Historical Status of China’s Tibet*, Beijing: China International Press, 1997, p. 13.

32 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 53.

33 Hugh Richardson, *Tibet and Its History*, p. 33.

historians label as “the dark fragmented period” (sil-bur-gyur-ba). This period is considered, by many Tibetan Buddhist scholars, as one of Tibet’s darkest historical moments as the Buddhist culture, which developed and flourished so much under the patronage of the Tibetan kings, declined in the Central Tibet following Darma’s severe persecution of Buddhist monks and monastics. Thereafter, for almost seventy years Buddhism was suppressed in the Central Tibet and the light of Buddhism was dimmed to a mere flicker during those dark decades. Yet Buddhism survived in the extreme corners of Tibet–Amdo and Kham in the east and Ngari in the west—from where the renaissance efforts later emerged. After the collapse of the Yarlung dynasty some of the Yarlung lineage dispersed to western parts of Tibet where they established small states, specifically in Purang, Guge and Maryul.<sup>34</sup> The rulers of these polities did attempt to maintain and revive the religious and cultural vibrancy of Tibet. The traditional account has it that Tsana Yeshe Gyaltsen, a descendant of O-sung, sponsored and sent ten promising young men to Amdo for religious training, who received ordination as monks and returned back to Samye after years of training to revive Buddhism in Central Tibet.<sup>35</sup> In Ngari, a western region in Tibet, Tsenpo Khore, another descendent of the Tibetan kings and the throne holder of the region, built Toling monastery, sent twenty one lads to Kashmir to study Buddhism from which two became renowned translators who left indelible marks in the Tibetan literary fields with their translation efforts. Later, he himself became a monk and took the name of Lha Lama Yeshe Od. It was his great-nephew, Changchub Od, who brought Atisha to Tibet in 1042 and the religious restoration truly flourished in Tibet.<sup>36</sup> The fall of Yarlung dynasty in Tibet was followed by a decline and toppling of Tang dynasty in China in 907, which eventually led to fragmentation of China, particularly along the peripheral border regions where small states emerged as independent entities. Tibet and China, in their states of disintegration, remained incommunicado as far as governmental exchanges were concerned for the next three hundred years. Inside Tibet, some of the Yarlung lineage had dispersed to western parts of Tibet where they established small states, specifically in Purang, Guge and Maryul.<sup>37</sup>

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34 Giuseppe Tucci, *Tibetan Painted Scrolls*, Rome: La Libreria dello Stato, 1949, p. 3.

35 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 55.

36 Ibid., p. 56.

37 Giuseppe Tucci, *Tibetan Painted Scrolls*, p. 3.

### 1.1.2.3 The Sakya Lamas of Tibet (1244-1358) and the Mongol Empire (1207-1368)

At the beginning of the 13th century, the Mongol soldiers under the command of Genghis Khan were on their way to capture and conquer the Tangut state, which was located in the present-day Kansu and Qinghai provinces of China. Fearing that the Mongol invasion would reach Tibet, the leading nobles and abbots of Central Tibet despatched a delegation to the Mongol leader with an offer of submission in 1207. Genghis Khan accepted the offer, which came with a promise of huge payment of tribute, and did not send his troops to Tibet. However, the Tibetans stopped sending the tribute after the death of Genghis Khan who died in 1227 and thus invited the wrath of his grandson, Godan Khan, who in 1240, sent troops under Dorta<sup>38</sup> against Tibet that resulted in the death of some five hundred monks and civilians and the destructions of Reting and Gyal Lhakhang monastery.<sup>39</sup> This invasion did not last long as Dorta and his troop withdrew from Tibet the next year in 1241. Several years later, in 1247, the renowned Buddhist master Kunga Gyaltsen travelled to Lanchou to meet with Godan Khan, the encounter of which heralded the beginning of a special relationship between the Mongol leaders and the Tibetan Buddhist masters. Kunga Gyaltsen, commonly known as Sakya Pandit, became a spiritual teacher of the Mongol prince and his subject, while the prince vested in him temporal authority over thirteen myriarchies of Central Tibet, probably as a ploy to win Tibet's submission. Later, Phagpa, one of the two nephews of Kunga Gyaltsen who accompanied him on his trip to Godan Khan's camp, became the religious teacher of Kublai Khan and conferred upon the Mongol prince numerous religious instructions and initiations into rites of Buddhism. The Mongols conferred upon Phagpa temporal authority over all of U-Tsang, Kham and Amdo, the three regions of Tibet collectively identified as Cholkha-sum, and in 1260, Kublai Khan appointed Phagpa as "National Preceptor" (*kuo-shi*). The relation between the Mongol Khan and the Tibetan lama came to be known popularly as chö-yön or "patron-priest" relation.

The Mongol Khan ruled Tibet indirectly as a special domain of lamas and Buddhism and the Sakya Lamas relied on the Mongol (Yuan) military support to rule Tibet. The

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38 Shakabpa mentioned that thirty thousand troops were sent to Tibet but it was not mentioned in other sources. Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 61.

39 Ibid., p. 61.

chö-yön relationship model was employed by many subsequent Tibetan noble families and Tibetan lamas in maintaining relation with the Mongol powers and later with the Manchu emperors. The success of such relationship depended on two essential factors: provision of military protection and support by the Patron to the Lama in maintaining control over the Lama's jurisdiction, and the bestowal of the Lama's religious guidance, instructions, blessings and spiritual nourishment to the Patron, his family and his ministers, and the common subjects. The Mongols were instrumental in establishing the Buddhist ecclesiastical system as the dominant political authority in Tibet.

The waning of Sakya Lama's rule in Tibet corresponded with the decline of Mongol Yuan dynasty in China following Kublai Khan's death in 1295. The Sakya rulers continued to hold on to the power and ruled Central Tibet for another fifty or so years, but amidst internal schism caused by the four sons of Sakya ruler Danyi Zangpo Pal (1262-1322). In 1350, Changchub Gyaltsen (1302-64), a powerful myriarch, seized control over the province of U in Central Tibet, which not only marked the beginning of the end of Sakya power in Central Tibet but more importantly Tibet's gaining of independence from the Mongols. To the east, China won her independence in 1368 under the leadership of Chu Yuan-chang—the establisher of the native Ming dynasty.

#### **1.1.2.4 The Post-Sakya Tibet (1337-1565) and the Ming China (1368-1644)**

Established in 1368 by Chu Yuan-chang (1328-1398), the Ming dynasty became the first native Chinese rulers to rule over China since the Tang period (618-756). The period is described as “one of the great eras of orderly government and social stability in human history,” during which peace reigned for about 276 years.<sup>40</sup> By studying the model of Tang domestic and diplomatic policy the Ming fashioned a comparatively stable government based largely on Confucian principles. According to research done by Elliot Sperling, the early Ming emperors adopted the Yuan policy as the most suitable method of dealing with Tibet.<sup>41</sup> Communist historians, Wang Jiawei and Nyima Gyailcain, also averred that “the Ming Dynasty basically followed the system

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40 John K. Fairbank, Edwin O. Reischauer and Albert M. Craig, *East Asia: Tradition and Transformation*, London: Allen and Unwin, 1973, p.177.

41 Elliot Sperling, *Early Ming Policy Toward Tibet*, Ph.D. dissertation, Indiana University, 1983, p. 38 as quoted in Warren W. Smith, *Tibetan Nation: A History of Tibetan Nationalism and Sino-Tibetan Relations*, pp. 101-108.

introduced by the Yuan Dynasty in exercising rule over the Tibetan areas”<sup>42</sup> of Amdo and Kham regions since no Ming influence in the U-Tsang and Ngari existed at that time. The Ming emperors never claimed authority in Tibet and were content with the superficial aspects of that relationship, particularly relating to the Inner Tibet comprising of Kham and Amdo regions. With the Mongols still posing the greatest threat to the early Ming Kingdom, the Ming leaders were keen on avoiding any extra threat coming from Tibet, especially in the form of Tibet-Mongol alliance, which could spell doom for the newly formed dynasty. Therefore, the Ming did not entertain any real interest in Tibet beyond maintaining China’s tribute relations with Tibet and other tributary states, which could explain why the Ming dynasty “refrained from sending troops to subdue Tibet or from garrisoning troops in Tibet”<sup>43</sup> when the Central Tibet was in turmoil for almost 130 years. Fairbank writes:

Upon gaining the throne, Hung-wu immediately tried to re-establish the grand design of the Chinese state in his foreign relations as well as at home. He sent envoys to the peripheral states, Korea, Japan, Annam (Vietnam), Champa, Tibet, and others, announcing his accession. Tribute missions soon came from these states and from others to which Mongol expeditions had been sent almost a century earlier, on the established routes of China’s overseas trade.<sup>44</sup>

The political climate in the post-Sakya period was rife with widespread instability and incessant power struggles among the ambitious feudal units who sought the backing of different Buddhist sects by patronising them. Ambitious myriarchies, such as Nedong, Yazang, Thangpoche and Yadrok rushed to grasp the political power and fill the void left by the collapse of the Sakya government. This constant power conflict and sectarian strife lasted for over 150 years until Changchub Gyaltsen consolidated the entire U-Tsang and Ngari under his rule and established himself as the overall ruler of Tibet in 1350. He revived, to some extent, the glories of the early Tibetan warrior kings in cultural and religious spheres, devised new criminal rules, issued a book of instructions on tax collecting, border defence, epidemic control and instituted major changes in administrative divisions of the State. Although there aren’t clear

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42 Wang Jiawei and Nyima Gyailcain, *The Historical Status of China’s Tibet*, Beijing: China Intercontinental Press, 1997, p. 33.

43 Ibid., p. 33.

44 John K. Fairbank, Edwin O. Reischauer and Albert M. Craig, *East Asia: Tradition and Transformation*, Rev. Edition, Boston: Houghton Mifflin Company, 1989, p.195.



historical records of the extensiveness of Changchub Gyaltzen's rule, Tibet scholar Richardson claims that all of Tibet was under Changchub Gyaltzen's control,<sup>45</sup> so too did historian Shakabpa.<sup>46</sup> However, Communist historians ignore Changchub Gyaltzen—and three successive nationalistic regimes who ruled over Tibet—describing him as “one of the 13 *wanhu* (10,000 households) officials who were given their official position during the Yuan Dynasty”.<sup>47</sup>

There is very little historical evidence of Tibet becoming a part of the Ming dynasty. Contrarily, Tibet's three nationalist regimes of Phamo-drupa (1358-1434), Rinpung and Dewa Tsangpa, refused to visit the Ming court to receive titles bestowed to them or send tribute missions. A map of Chinese empire from 1654, drawn by Wang Fen, a Chinese legal officer in the Ming court, clearly shows all the names and sizes of Chinese provinces but does not include any region of Tibet, “not even the easternmost regions of Amdo”.<sup>48</sup> Shakabpa argues that the Chinese allegation that the Ming Dynasty inherited claim over Tibet from the Mongol predecessors was invalid and historically baseless. Chronologically, he writes, the Mongols gained control over Tibet prior to their conquest of China and Tibet gained independence from the Khans before China won hers.<sup>49</sup> In short Ming court seems to have considered Tibet as one of its tributary states, like Japan, Korea and Vietnam, but not a territorial part of the Ming Middle Kingdom.

#### **1.1.2.5. The Gelugpa's Rule (1642-1950) and the Manchu Empire (1662-1912)**

The Gelugpa's rule over Tibet followed a long period of political chaos and acute power struggle between the burgeoning Gelugpa forces and Kargyupa power. Consequent series of conflicts between predominantly Gelugpa territory of U and Kargyupa dominated Tsang, to establish a sectarian hegemony, lasted from 1537-1642, for over 100 years. In 1639, Gushri Khan, a devout believer and staunch supporter of the Dalai Lamas and the Gelugpa sect, marched his troops against the

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45 Hugh Richardson, *Tibet and Its History*, p.35.

46 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p.81.

47 Wang Jaiwei and Nyima Gyailcain, *The Historical Status of China's Tibet*, p.41.

48 *The Mongols and Tibet*, Dharamsala: Department of Information and International Relations (DIIR), 1996, p.26. Professor Fairbank notes that China under “the Ming was divided into 15 provinces” administratively, whose names and sizes are depicted on China's map of the period reproduced in his book (p. 186), but does not appear to include Tibet. John K. Fairbank, Edwin O. Reischauer and Albert M. Craig, *East Asia: Tradition and Transformation*, 1989, p.185.

49 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 73.

chief of Beri at the behest of Sonam Chospel, the Fifth Dalai Lama's chief attendant. The chief of Beri was a supporter of Bon religion, who was colluding with the Tsang rulers to upend the Gelug influence in the Central Tibet. Gushri Khan's military campaign in the eastern parts of Tibet was successful and it brought all of Kham under his control by the end of 1640. Instead of returning back to his territory in Kokonor region after the military expedition, the leader of the Qoshot Mongols brought his troops to Central Tibet to fight against the Tsang ruler. With the backing from Gushri Khan's military force, U openly entered into the war with the Tsang and captured both Shigatse, the Tsang capital, and Karmapa monastery. Thus was the external opposition to the Gelugpa power eliminated and 308 years of Gelugpa hegemony with the Dalai Lama as the supreme head heralded. The Fifth Dalai Lama, Ngawang Lobsang Gyatso, was led in state and enthroned in the main hall of Shigatse as both the spiritual and temporal leader of Tibet. After a span of more than eight hundred years Tibet was once again unified under a single ruler. Not only the central regions of U, Tsang and Ngari but also Kham was integrated into the Tibetan polity and governed by representatives of Gaden Phodrang.<sup>50</sup> Yet the time remained tumultuous and internecine conflicts continued to pest the land in the form of revolts from Tsangpa and Karmapa supporters. Moreover, Amdo eluded Gaden Phodrang's rule as Gushri Khan wanted to cling to it because of its proximity to Kokonor region, where Gushri Khan had his power base, and this created the political precedent for later separation of Amdo from Central Tibet.

To the east the Manchus had overthrown the declining Ming power by 1644 and had established the Qing Dynasty. The Fifth Dalai Lama continued to maintain a close relationship with the Mongol warriors whose military protection Gaden Phodrang still needed but he also established relations with the Manchu Emperors.<sup>51</sup> The Shun-chih Emperor of China despatched several envoys to Lhasa between 1649 and 1651 bearing invitation from the Emperor for the Fifth Dalai Lama to visit Peking. The Fifth Dalai Lama responded by making a long and arduous journey to Peking in 1653 and re-established the *Chö-yön* (patron-priest) relationship that had existed with the Mongol Yuan rulers. The description of the encounters between the Fifth Dalai Lama

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50 Gaden Phodrang is the name of the Dalai Lama's institute, which was set up during the Fifth Dalai Lama.

51 Manchu were descendants of Jurchen tribes conquered by the Mongols in 1234, who inhabited the territories that still retain their name, Manchuria.

and the Chinese Emperor were recorded in great detail by the Dalai Lama himself in his autobiography.<sup>52</sup> For instance the Fifth Dalai Lama writes that “the Emperor sat on top of a wooden stool, which was on top of the Throne, which was as high as a man’s waist. I sat on a seat, which was a little lower than the Emperor’s Throne and which was situated not far from one whole fathom’s length from the Emperor’s Throne”.<sup>53</sup> Moreover, when tea was served the Emperor asked the Fifth Dalai Lama to drink first but the Dalai Lama deferred stating that it was not proper and so the two drank at the same time.<sup>54</sup> These subtle conventions in the meeting protocol exhibit the “hierarchy of authority relations” according to Dawa Norbu, who characterised the relation between the two rulers as “symbolically, subtly and delicately ‘near equal’”.<sup>55</sup> Yet the Dalai Lama did not perform kowtow, the usual protocol for any foreign dignitary receiving an audience with the Emperor, when he met the Manchu Emperor and sat on a higher throne than the Emperor during religious functions. The Fifth Dalai Lama writes:

From this spot, when I had covered the distance covered by 4 arrow-lengths, I dismounted from my horse. The Emperor descended from his throne and advanced for a distance of 10 fathoms (*gzu-dom*). He seized my hand with his hand. An interpreter was installed, and he (the Emperor) enquired after my health.<sup>56</sup>

Dawa Norbu presents the Dalai Lama-Manchu Emperor relation from the Tibetan perspective as a continuation of the same relationships that Tibet’s rulers enjoyed with the Mongol Khans—from “Khubilai Khan to Altan Khan, from Altan to Gushri, from Gushri to Manchu Emperor”—which assumed a primary religious nature of *Chö-yön*.<sup>57</sup>

The Fifth Dalai Lama, known to his people as the Great Fifth, was highly successful

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52 Considered as one of the most popular historical works in Tibetan, the Fifth Dalai Lama’s autobiography, titled *dpyid-kyi rgyal-mo’i glu-dbyangs* or ‘The Songs of the Queen of Spring’, is a historical account that emphasises the history of Tibet’s political leaders. A complete English translation of the book, by Zahiruddin Ahmad, was published as *A History of Tibet* by Indiana University Oriental Series no. 7, Bloomington, 1995, and partial translations could be read in G. Tucci’s *Tibetan Painted Scrolls*, Vol. 2, Rome, 1949, pp. 625-651. Kristina Lange’s ‘Einige Bemerkungen zur Chronik des Fünften Dalai-Lama als Literaturdenkmal’, *Acta Orientalia Hungarica*, vol. 41, no. 2, 1987, pp. 277-300.

53 Zahiruddin Ahmad, *Sino-Tibetan Relations in the Seventeenth Century*, Roma: Istituto Italiano per il Medio ed Estremo Oriente, 1970, p. 176

54 Ibid., p. 176.

55 Dawa Norbu, *China’s Tibet Policy*, p. 74.

56 Zahiruddin Ahmad, *Sino-Tibetan Relations in the Seventeenth Century*, pp. 175-176.

57 Dawa Norbu, *China’s Tibet Policy*, p. 75.

in unifying Tibet, which prior to his ascension to power was ridden with tumultuous struggles among different religious sects, powerful regional chiefs and ruling families. No doubt he had the backings of the Mongols but his organisational skills and leadership quality, erudition and political acumen, skill in foreign affairs and his ability to command the devotion of his people all contributed to his success as the political and religious leader of the entire Tibetan nation. He was also a very versatile and prolific writer and produced works on such diverse subjects as history, poetry, Buddhist philosophy, logic, esoteric tantra and even a manual for governing a nation. The Great Fifth passed away in 1682 while the construction of the Potala palace, a monument which still stands majestically in Lhasa, was still underway and his passing away “set in train a series of events which finally brought about Chinese intervention in Tibet”.<sup>58</sup>

The Desi (Regent) of Tibet at the time of the Dalai Lama’s death was Sangye Gyatso—a highly educated man who was adept at handling administrative works—who was appointed as the Regent of Tibet at the age of twenty seven by the Great Fifth himself. Sangye Gyatso kept secret the demise of the Dalai Lama for fifteen years and carried out the administrative functions of running the country and continued building the Potala. Within a few years of the Dalai Lama’s death, the Sixth Dalai Lama Tsangyang Gyatso was discovered in Mon area, and by 1688 the young boy was brought surreptitiously to Nankartse where he was trained and educated. In 1697, at the age of fifteen Tsangyang Gyatso was enthroned in the newly constructed Potala Palace. The young Dalai Lama’s radically different behaviour from his predecessors was a great cause for concern and caused much consternation to the Desi, who in his desire to keep the young Tsangyang Gyatso on spiritual path employed various devious means including violence which resulted in the death of one person. Growing estrangement with the Sixth Dalai Lama, pressure from the Mongol chiefs, particularly Lhasang Khan—the grandson of Gushri Khan and the leader of the Qoshot Mongols—who was severely critical of the Desi’s governance, and other factors compelled Sangye Gyatso to resign from the Regency in 1703. However, he remained behind the scene and continued to bear immense control over the administration of the country until his death at the hands of Lhasang Khan’s men two years later. Lhasang

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<sup>58</sup> Hugh Richardson, *Tibet and Its History*, p. 46.

Khan then assumed full political control of Central Tibet and stationed his army in Lhasa. Before long the Qoshot chief grew very critical of the Sixth Dalai Lama's behaviour and eventually put him under arrest and exiled him to the Kokonor region where Tsangyang Gyatso passed away under mysterious circumstances. The news of the Dalai Lama's arrest and demise generated an intense amount of resentment against Lhasang Khan among not only the Tibetans but also among the Dzungars and the Mongols of the Kokonor. To add more fuel to the burning fire of anger Lhasang Khan declared that Tsangyang Gyatso was not the true reincarnation of the Fifth Dalai Lama and appointed a monk as the Dalai Lama.

In 1717, the Dzungars invaded Tibet on the pretext of removing Lhasang Khan from the power and put an end to his rule over Tibet. Militarily, the Dzungar expedition was very successful as they finished Lhasang Khan and captured the holy city of Lhasa. This new development was perceived by the Qing court as fraught with great danger for the Qing power and having potential for "a successful founding of a Mongol Empire including Tibet under a common religion—a fear that had long haunted him".<sup>59</sup> The Emperor sent military expedition to Tibet consisting of several thousand men—the first military adventure of the Qing army into Tibet—in 1718 and was obliterated by the Dzungar force at the Kalawusu River. However, a second despatch of larger force consisting of two armies under the command of the Emperor's fourteenth son and a third army to attack the rear of the enemy succeeded in expelling the Dzungar out of Lhasa<sup>60</sup> and thus provided the Qing Emperor K'ang Hsi a significant foothold in Lhasa, which became "the foundation of nearly two centuries of Manchu overlordship of Tibet".<sup>61</sup>

The Manchu army brought the Seventh Dalai Lama with them and installed him at the Potala palace in 1720 and since then, until the end of the Qing Dynasty in 1912, it maintained a military presence in Tibet. The Manchus instituted major changes in the political structure of the Tibetan government such as removing the indigenous civil government that had existed in Lhasa and replacing the office of Desi by *Kashag*, a council of ministers. The council governed Tibet under the supervision of the Chinese

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59 Tieh-tseung Li, *The Historical Status of Tibet*, New York: King's Crown Press, 1956, p. 39.

60 Ibid., pp. 39-40.

61 Hugh Richardson, *Tibet and Its History*, p. 50.

garrison commander stationed in Lhasa, who frequently interfered with the Kashag's decisions, especially those concerning Chinese interests.<sup>62</sup> When the K'ang Hsi Emperor died in 1722 his son, Yung-cheng, succeeded him to the throne. In a policy of retrenchment the new Manchu ruler withdrew the Manchu military garrison from Lhasa in 1723 and for several years Manchu military presence was not felt. However, civil war broke among the Tibetan council ministers and on the pretext of protecting the Dalai Lama and stopping the civil war the Yung-cheng Emperor despatched a large imperial army under the command of two Manchus, Jalangga and Mailu. This return of the Manchu military presence in 1728 and establishment of Imperial Residents called Ambans<sup>63</sup> in Lhasa and Shigatse signalled the beginning of a long Manchu presence in Tibet, which actually lasted for 184 years until 1912 when the last Ambans were expelled from Tibet during the Thirteenth Dalai Lama's rule.

The nature of the Qing relationship with Tibet remained one between two states, or an empire and a semi-independent peripheral state but not in the nature of a central government and an outlying part of that same state. The Qing dynasty, like the previous conquest dynasty, the Yuan, distinguished Inner Asia from China in both political status and administrative divisions. China, the "interior empire" for the Qing, was regarded as a subjugated state; Inner Asian tribes and states, or the "exterior empire," were treated as dependent allies during the early Qing Dynasty. Tibet's inaccessibility and the difficulties involved in imposing direct administration control contributed to the Qing preference to maintain Tibet's semi-autonomous status within the empire. The eventual complete assimilation of the Manchus with the Han Chinese resulted in the former losing its ethnic identity and language. Tibet, which was indirectly ruled by the Manchus for many years, came to be regarded as a protectorate of China and ultimately as Chinese territory. Additionally, the Qing's administrative divisions of Tibet into several distinct regions separated Kham and Amdo from the ethnographic Tibet and created two politically and conceptually separate regions that were no longer part of what the Chinese thought of as "Tibet". Despite later Chinese claims, Tibet did not become an "integral part of China" during the Qing Dynasty even though it remained a dependent state of the Qing Empire for more than a

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62 Luciano Petech, *China and Tibet in the Early XVIIIth Century: History of the establishment of Chinese Protectorate in Tibet*, Leiden: E. J. Brill, 1972, p.78.

63 Ibid., pp.255-7. Ambans were conventionally described as the permanent imperial representatives of the Manchu Emperors in Lhasa since 1728.

hundred years. The fall of the Qing Dynasty in 1912 which led to the transformation of the Qing Empire into Chinese Republic does not necessitate Tibet becoming a part of China.

#### 1.1.2.6 Tibet in the Twentieth Century

All the Dalai Lamas from the eighth to the twelfth had very short lives, with the exception of the Eighth Dalai Lama who lived for forty six years.<sup>64</sup> However, the tumultuous time that started during the Sixth Dalai Lama continued throughout the life time of the Seventh and persisted right up to the last days of the Eighth Dalai Lama. It was further exacerbated by the Gurkha invasions of Tibet in 1788 and again in 1791. After the Eighth Dalai Lama the ruling of Tibet rested entirely in the hands of the succeeding Regents for the next ninety years mainly because of the early demise of the next four Dalai Lamas. With the coming of the Thirteenth Dalai Lama (1876-1933) to power all of that changed and Tibet once again was ruled by a strong leader of the Great Fifth's calibre. Born in 1876 in Thakpo Langdun in Southeast Tibet, the new Dalai Lama was recognised as the unmistakable reincarnation of the Twelfth at the age of two. Although the Manchu Emperor had ordered, in 1792, that the succeeding Dalai Lamas and Panchen Lamas must be selected through the golden urn process,<sup>65</sup> the Regent and the Tibetan ministers used only the traditional methods without employing the golden urn system in choosing the Thirteenth Dalai Lama.<sup>66</sup> He

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64 Jampal Gyatso, the Eighth Dalai Lama (1758-1804), lived for forty six years but did not assume full temporal power of the nation as his Regent continued to govern the country in his stead at the request of the Dalai Lama himself. The Ninth Dalai Lama, Lungtok Gyatso (1805-1815), lived for only ten years and Tsultrim Gyatso, the Tenth incarnation (1816-1837), passed away at the age of twenty. The subsequent two Dalai Lamas, Khedup Gyatso (1838-1855) and Trinley Gyatso (1856-1875), also had early death at the age of eighteen and nineteen respectively. Inder L. Malik, *Dalai Lamas of Tibet: Succession of Births*, New Delhi: Uppal Publishing House, 1984, pp. 39-42.

65 After the second Gurkha invasion, the Emperor Ch'ien-lung initiated several changes in Tibet among which the main ones were: 1) The Manchu Residents in Tibet were given the same rank as the Dalai Lama and the Panchen Lama, 2) The Dalai Lama and the Panchen Lama's direct access to the Emperor was curtailed and instead were made to approach the Emperor through the Residents, 3) The succeeding Dalai Lamas and Panchen Lamas were to be chosen by the drawing of lots if there were more than one claimant. For the third purpose a golden urn was made and sent to Lhasa, which will be used in drawing the lot. Tieh-tseng Li, *The Historical Status of Tibet*, pp. 53-58.

66 There were several different accounts about the process of selecting the Thirteenth Dalai Lama. Tieh-tseng Li writes that in the case of the Thirteenth Dalai the drawing of lots was suspended since there was only one claimant. Li, *The Historical Status of Tibet*, p. 58. However, according to Rockhill the child from Thakpo was selected as the new Dalai Lama from the three claimants based on lottery process. W. W. Rockhill, 'Dalai Lamas of Lhasa and their Relations with Manchu Emperors of China: 1644-1908', *T'oung Pao*, XI, 1910, p. 71. Shakabpa on the other hand writes that although there were three claimants the small boy from Thakpo was unanimously selected after many religious tests and hence the lottery was done away with. (Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 192)

assumed temporal power in 1895, at the age of nineteen, and became the first Dalai Lama who wielded all the power and actually ruled Tibet since the Great Fifth some two hundred years earlier.<sup>67</sup> Meanwhile, in China the Qing Dynasty had been weakening because of foreign imperialists' designs on China and the growing Han nationalism against Manchu's rule. The Chinese suffered a major defeat in the First Anglo-Chinese War—commonly known as the First Opium War—of 1840 with the consequence of cession of Hong Kong and war indemnity of twenty one million dollars but more inimical was the loss of prestige that the Manchu regime suffered. The Qing Dynasty's authority continued to decline and by the time Thupten Gyatso assumed full control over Tibet, China was reeling under foreign domination, having recently suffered a great defeat in the First Sino-Japanese War, which further accelerated the fall of the Qing and enfeeble its influence in Tibet. Thus, the Manchus could not exercise its power in Tibet at the time of the Dalai Lama's ascension to power.

Geopolitically speaking, the Great Game was already being played between Great Britain, Russia and to some extent China to expand their sphere of influence in Inner Asia and Tibet—a backdoor to India—became the object of international interest. By the end of the nineteenth century, Russia's *Drang nach Osten* appeared to the world at large and specifically to England to be “one of those world-forces which nothing can deflect, nothing sublimate, nothing mollify”.<sup>68</sup> The Russian's swift advance to the east, Tibet's ambiguous borders with India and China's weakening hold over Tibet, which was causing the Tibetans to disregard the Sikkim-Tibet Convention of 1890 between Britain and China and the Trade Regulations signed between the two countries, were some of the “tactical considerations which obliged the Government of India...to do *something* about Tibet”.<sup>69</sup> The British Government of India (GOI), on numerous occasions, attempted to enter into negotiations and seek trade privileges with the Tibetan authorities who steadfastly avoided any dealings with the British. However, prompted by deep fear of losing independence and generally suspicious of

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67 The Seventh and Eight Dalai Lamas, had reached maturity and had assumed temporal power, but none since the Great Fifth had effectively exercised that power. Melvyn C. Goldstein, *A History of Modern Tibet, 1913-1951: the Demise of the Lamaist State*, Berkeley: University of California Press, 1989, p.41.

68 Peter Fleming, *Bayonets to Lhasa: The First Full Account of the British Invasion of Tibet in 1904*, New York: Harper & Brothers Publishers, 1961, p. 19.

69 Ibid., pp. 26-27.



foreigners the Tibetan officials refused to entertain any discussions with the British. Taking advantage of Tibet's rather unique situation the Tibetan authorities used a two-way excuse in avoiding having any direct contacts with the British. The direct approaches by the British were discouraged by the Tibetan officials stating that the British would require imperial authority to establish relation with Tibet and indirect approaches through Chinese Residents were disregarded as invalid. In a correspondence to the Secretary of State the Government of India in the Foreign Department writes, "We seem...in respect of our policy towards Tibet, to be moving in a vicious circle. If we apply to Tibet, we either receive no reply, or are referred to the Chinese Resident. If we apply to the latter, he excuses his failure by his inability to put any pressure upon Tibet. As a policy this appears to us both unproductive and inglorious".<sup>70</sup> The initial trade interests displayed by the British Government of India, however, gradually turned into a strategic and political pursuit by 1900, a year in which it became clear to the British that the Dalai Lama was establishing contact with the Russians. The following year, in June 1901, a mission of eight prominent Tibetan statesmen headed by Dorjjeff reached St. Petersburg and had audience of the Russian Emperor and Empress. The Russian newspaper *Novoe Vremya* interprets this "rapprochement" step as a natural one for the Dalai Lama, "as Russia is the only Power able to counteract the intrigues of Great Britain, who has so long been endeavouring to obtain admission to Tibet, and only awaits an opportunity to force an entrance".<sup>71</sup> In the subsequent year, a rumour floated about a secret treaty between China and Russia over Tibet, in which China would relinquish her interest in Tibet to Russia in return for Russia's support for the Chinese Empire, Russia would extend her support as soon as her interests in Tibet have been secured and would despatch officers in Tibet and control Tibetan affairs.<sup>72</sup> The rumours and *China Times* report about a story detailing the clauses of the agreement, created a thick cloud of suspicion in the hearts and minds of the British authorities despite being emphatically denied by both the Russians and the Chinese.

Under such circumstances the British deemed it necessary to establish a formal relation with Tibet and in 1904, a British trade expedition was sent to Tibet under the

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<sup>70</sup> Ibid., p. 38.

<sup>71</sup> Ibid., p. 40.

<sup>72</sup> Ibid., pp. 45-46.

command of Colonel Francis Younghusband.<sup>73</sup> The Tibetan resistance was easily defeated by the better equipped British soldiers and the troops entered Lhasa, where the British concluded a treaty with Tibetan representatives at the exclusion of the Amban who admitted to Younghusband that he was powerless to forge any negotiation on behalf of the Tibetans.<sup>74</sup> The 1904-British expedition to Tibet ended the country's policy of intentional isolation and exposed the tenuousness of China's claim of their authority over Tibet. It also provoked the Thirteenth Dalai Lama to leave Lhasa for Urga and from there to Peking and an inevitable Chinese attempt to recover its position. In her weakened position China was willing to recognise some, if not all, of the provisions of the Lhasa convention, but was intent on denying Tibet's right to conclude international agreements. Britain's continued recognition of Chinese suzerainty over Tibet gave China a right to participate in any treaty that Tibet signed with Britain.<sup>75</sup> In an effort to persuade China to cooperate and accept the 1904 treaty, Britain entered into negotiation with China. Adhesion Treaty between Britain and China was, thus, signed in 1906 in which China agreed to pay the indemnity obligations of Tibet set down in the Lhasa Convention and to convert what had been an agreement between Britain and Tibet into one between Britain and China. The gist of the Adhesion Treaty was that China would pay the war indemnity and allow Britain commercial rights in Tibet, and that Britain would agree not to interfere in China's administration of Tibet if China excluded all foreign powers from Tibet. The treaty implicitly recognised Chinese suzerainty over Tibet by considering China not a

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73 The Thirteenth Dalai Lama fled to Outer Mongolia before the British expedition reached Lhasa and stayed there for over a year.

74 Francis Younghusband, *India and Tibet: A history of the Relations which have Subsisted between the Two Countries from the Time of Warren Hastings to 1910 with a Particular Accounts of the Mission to Lhasa of 1904*, Hong Kong: Oxford University Press, 1985, pp. 263, 286, 305, 306, 420. The 1904 Lhasa Convention granted Britain trade privileges with trade marts to be established at Gyantse, Yatung and Gartok. The convention allowed the stationing of a British resident at Gyantse and required the Tibetans to pay the expenses of the British expedition, which equalled 7,500,000 rupees, in 75 annual instalments with a condition that until the payment was complete, the British would occupy the Chumbi valley, which lies on the main route into Tibet from India. The actual text of the convention between Great Britain and Tibet, signed in 1904, can be read in C.U. Aitchison's *A Collection of Treaties, Engagements and Sanads Relating to India and Neighbouring Countries*, Vol. XIV, Calcutta: Government of India Central Publication Branch, 1929, p. 23.

75 In a report to the GOI, Hugh Richardson, the British Representative in Lhasa, defined suzerainty as "nominal sovereignty over a semi-independent or internally autonomous state". However, he added that in practice the term had "never been defined and, indeed, appears incapable of definition". Richardson, *Tibet Precise*, Calcutta: Government of India, 1945, p. 97. Richardson revealed that, in 1943, the Tibetans had inquired the GOI about the legal definition of suzerainty to which the British could only say that "suzerainty is a term used to describe the relations, frequently ill-defined and vague, existing between one state and a second which, to a greater or lesser degree is dependent on the first, or better 'owes some degree of allegiance to the first'". Ibid., p. 102.

“foreign power” in relation to Tibet.<sup>76</sup> The Lhasa Convention established the right of the Tibetans to conclude treaty with other foreign country and, therefore, theoretically forms a legal basis for international recognition of Tibet as an independent State. But the 1906-Peking agreement relegated Tibetan affairs as concerns of China and allowed the Chinese to view the Adhesion Treaty not as recognition of the Lhasa Convention of 1904 but rather as a repudiation of it and hence recognition of China’s “traditional authority” in Tibet.<sup>77</sup> Moreover, treaties between Britain and Russia, signed in 1906 and 1907,<sup>78</sup> not only prevented Russian interference in Tibet but also introduced the concept of Chinese “suzerainty” over Tibet. Bolstered by international recognitions of its right in Tibet, however loosely defined,<sup>79</sup> China began to take steps to reassert its authority.

During the Dalai Lama’s absence from Lhasa, China sent a large expeditionary force into Eastern Tibet with the objective of converting that part of Tibet into Chinese territory. The exiled Dalai Lama did not have alternative but to mend his relations with Peking and he accepted a lowering of his status in favour of the Amban and was allowed to return to his seat in 1909. Mistrustful of him, however, the Chinese sent in troops which reached Lhasa in 1910 and the Dalai Lama once again fled Lhasa and this time to India. Although the Chinese troops gave chase to capture the Dalai Lama, he was able to escape to India protected by small bands of Tibetan armies. This unprecedented invasion by the Manchu troops was a turning point in relations between Tibet and China. Previous imperial military expeditions had come to assist

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76 Premen Addy, *Tibet in Imperial Chessboard: The Making of British Policy Towards Lhasa, 1899-1925*, New Delhi: Academic Publishers, 1984, p. 172; Text of “Convention between Great Britain and China,” 1906, in C.U. Aitchison, *A Collection of Treaties, Engagements and Sanads Relating to India and Neighbouring Countries*, Vol. XIV, p. 27.

77 Chang Yin t’ang, a Han official who was posted as the Chinese Government Representative in Lhasa, interpreted that the 1906 Convention that superseded the 1904 Convention between British and Tibet as an equivalent to a recognition of Chinese sovereignty over Tibet. Alastair Lamb, *British India and Tibet: 1766-1910*, London: Routledge and Kegan Paul, 1986, p. 268; Premen Addy, *Tibet on the Imperial Chessboard*, p 172.

78 The treaty of 1907 between Russia and Britain reduced the tension of the Great Game. The Agreement covered Persia, Afghanistan and Tibet. Persia was divided between British and Russian influence; Russia recognised Britain’s predominant interests in Afghanistan; Russia also recognised that Britain had a “special interest in maintenance of the status quo in the external relations of Tibet”. Both parties recognised China’s “suzerainty” in Tibet. Each side agreed not to interfere in the internal administration of Tibet “Convention between Great Britain and Russia relating to Persia, Afghanistan and Tibet,” 31 August 1907, in Richardson, *Tibet and Its History*, p. 273.

79 Lord Curzon, the Viceroy of India in 1899, characterised Chinese suzerainty as “a constitutional fiction – a political affection which has only been maintained because of its convenience to both parties”. Quoted in Premen Addy, *Tibet on the Imperial Chessboard*, p. 91.

the Dalai Lama or the Tibetan Government at their invitation. However, this time, the Manchu Emperor attempted to establish his authority in Tibet by force and remove the increasing British influence in Tibet. Yet this strategy turned out to be an abortive political manoeuvre because the Qing Dynasty collapsed soon after in 1911 and the Chinese Residents and his garrisons were forced to depart Tibet eventually after plenitude of skirmishes and fights between the Chinese troops and the Tibetan resistance forces. The Dalai Lama left Kalimpong in 1912, where he was residing during his exile, but arrived in Lhasa only in early the next year. In the meantime, Yuan Shih-kai, the new President of the Chinese Republic, in a telegraph message, apologised to the Dalai Lama for the excesses of the Chinese troops and stated that the Dalai Lama's title would be restored. To that the Dalai Lama replied that "he was not asking the Chinese Government for any rank, as he intended to exercise both temporal and ecclesiastical rule in Tibet. Thus the god-king made clear his declaration of Tibetan independence".<sup>80</sup> Mongolia also proclaimed its independence from China in 1912 and a year later Mongolia and Tibet signed a treaty recognising each other's independence.<sup>81</sup> A report compiled by International Commission of Jurists (ICJ) states, "Tibet's position on the expulsion of the Chinese in 1912 can fairly be described as one of the *de facto* independence and there are ... strong legal grounds for thinking that any form of legal subservience to China had vanished. It is therefore submitted that the events of 1911-12 mark the re-emergence of Tibet as a fully sovereign state, independent in fact and law of Chinese control".<sup>82</sup>

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80 Charles Bell, *Portrait of the Dalai Lama: The Life and Times of the Great Thirteenth*, London: Collins, 1946, p. 135. Richardson, *Tibet and Its History*, p. 105. The Tibetan text of the Dalai Lama's declaration can be read in Tsepon W. D. Shakabpa's *Bod-kyi srid-don rgyal-rabs*, (which has been translated into English with the title *Political History of Tibet*), Kalimpong, 1976, Vol. 2, p. 222. In the declaration the Dalai Lama clearly declares Tibet as a free country (*rgyal-khab rang-dbang dang Idan-pa zhig yin*).

81 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 246.

82 International Commission of Jurists, *The Question of Tibet and the Rule of law*, Geneva, 1959, p. 85. The ICJ is a non-governmental organisation, based in Geneva, which is in consultative status to the United Nations Economic and Social Council, UNESCO, the Council of Europe and the Organisation of African Unity. It was founded in 1952 and strives to defend the Rule of Law throughout the world and to work towards the full observance of the provisions in the UDHR. The 1959, preliminary report examined the People's Republic of China's violation of the 17-Point Agreement, violation of human rights, the question of genocide and Tibet's legal status. The report deals with the status of Tibet between 1913 and 1950 and concludes that Tibet was *de facto* independent. The Chinese accept that during this period their authority in Tibet was absent but they argue that the absence of authority was the result of foreign aggression (i.e. British machinations) and that therefore, the absence of Chinese did not create a legal situation.

### 1.1.2.7 Simla Convention

Britain in the meantime realised the importance of Tibet as a buffer region between India and the external powers in the north. An ideal situation would be an independent Tibet that stands between the British India and Russia and China; however, Britain was not ready to support a completely independent Tibet, which if left to their own device, the British feared, might attempt to bolster its relation with Russia and thus bring the burgeoning power of Russia even closer to Indian frontiers. Moreover, such political manoeuvre would have drastic impact of damaging the relation between Britain and China. What the British sought was a way to limit Chinese influence in Tibet without hampering the British commercial interests in China; what they proposed was an autonomous Tibet under Chinese suzerainty, with the division of Tibet into two political entities of Outer and Inner Tibet with the Inner zone under the sovereignty of China and the Outer zone as autonomous. The Simla Convention of 1913-14 could be considered as the culmination of several British attempts to settle the vexing Tibet question and define Tibet's border with China and India so as to secure a more stable northern frontier. The tripartite conference, convened in October 1913 in Simla, saw Tibet, China and Britain sitting together to draw the borders of Tibet and decide the fate of the mountainous nation. Both China and Tibet presented their positions with historical supports and evidences—Tibet declaring itself as an independent state and China claiming overall sovereignty over Tibet. The convention accepts among other things the suzerainty of China over Tibet and makes a clear distinction between Inner and Outer Tibet, with the former under Chinese control and the later having autonomy. It also accepts to abstain from interfering in the administration of Outer Tibet, including the choosing and installation of the Dalai Lama, which shall remain in the hands of the Tibetan Government. Moreover, the Government of China shall not engage in activities to convert Tibet into a Chinese province. After more than eight months of deliberations, discussions and debates the three parties signed the Simla Treaty on 3 July 1914. The Chinese plenipotentiaries initialed the document but refused to ratify it on the grounds that the border provisions laid down were not acceptable. Only Britain and Tibet agreed bilaterally to be bound by the provisions of the convention.<sup>83</sup> Tibet in the following years was restrained in

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<sup>83</sup> The text of the bilateral agreement can be read in ICJ, *Tibet and the Chinese People's Republic*, 1960, p. 140. The International Commission of Jurists' Legal Enquiry Committee report found that: "The Chinese refusal to sign the Convention meant quite simply that Great Britain and Tibet agreed

claiming full independence, even when independence existed in fact, out of fear of losing the British guarantee for Tibetan autonomy and the British commitment to secure China's ratification of the Simla Convention. Britain was similarly restrained in recognition of Tibet's *de facto* independence since it continued to recognise Chinese suzerainty *de jure*.

The Thirteenth Dalai Lama passed away in 1933. During his lifetime Tibet's status had evolved from a dependency of the Qing Empire to a *de facto* independent state. The Dalai Lama attempted to achieve political unity and independence for Tibet by modernising<sup>84</sup> and centralising a medieval internal administration; he attempted to transcend Tibet's feudal relationship with China by acquiring a new political patron in Britain capable of protecting Tibet against the ambition of China to transform its suzerain authority over Tibet into full sovereignty. Central Tibet under the Thirteenth Dalai Lama achieved a political autonomy equivalent to independence.

In 1937, the reincarnation of the Thirteenth Dalai Lama was discovered in Amdo and in 1939 was brought to Lhasa and installed as the Fourteenth Dalai Lama. The Chinese Government was invited to send a representative to observe the ceremonies of installation, as were the governments of India, Nepal, Sikkim and Bhutan. However, the Chinese Government construed the participation of its representative as the official recognition and installation of the reincarnation, a version of events denied by Tibetans and other participants.<sup>85</sup> During the regency period prior to the new Dalai Lama's attainment of majority, two Tibetan governmental institutions namely Kashag

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to withhold the recognition of suzerainty and with it the understanding that Tibet was part of Chinese territory".

84 The 13<sup>th</sup> Dalai Lama attempted to strengthen Tibetan military by raising taxes for the support of the army. However, it created resistance from the large estate holders, particularly monastic estates that had not previously been required to pay taxes, and from the Panchen Lama's estate in Shigatse, (who fled to China in 1924, disrupting the Dalai Lama's attempt to create Tibet unity. The Panchen was not allowed to return to Tibet during his lifetime). The religious leadership labeled modernisation as a threat to the dominance of Buddhism, forcing the Dalai Lama to demote pro-modernisation. According to Goldstein, "in one of the pivotal policy decisions of modern Tibetan history, the 13<sup>th</sup> Dalai Lama gutted the heart of the reforms program by acts such as demoting the entire group of pro-modernisation officers and closing the English school. Overnight, Tibet lost its best chance to create a modern polity capable of coordinating international support for its independent status and defending its territory". Melvyn C. Goldstein, "Tibet, China, and the United States: Reflections on the Tibet Questions," *The Atlantic Council*, April 1995.

85 The Fourteenth Dalai Lama was chosen, confirmed and installed by traditional Tibetan methods without reference to the Chinese Government. See Hugh Richardson, *Tibetan Precise*, Calcutta: Government of India Press, 1945, and Melvyn Goldstein, *A History of Modern Tibet, 1913-1951*, pp. 310-311, 314-324, 325-330.

and *Tsongdu* (National Assembly) took responsibility for Tibetan affairs and the two institutions handled negotiations with a Chinese representative sent to offer condolences on the Thirteenth Dalai Lama's death. China proposed that Tibet should accept Chinese sovereignty in exchange for autonomy in everything except foreign affairs and defence; however, the Kashag and Tsongdu maintained that Tibet was an independent country and demanded the return of Tibetan administration of Chinese-controlled areas of Eastern Tibet. This Tibetan stance was maintained throughout the 1930s and 1940s.

During the Second World War, Tibet maintained its neutrality even though China was a combatant. This position occasioned the first Tibetan diplomatic contacts with the United States when Tibet refused permission to transport war supplies across Tibet from India to China. An American mission to Tibet in 1943 was informed of the Tibetan claim to independence, in response to which they suggested that Tibet might attempt to achieve recognition of its independence in a post-war peace conference. After the end of the war in 1945, Tibet attempted to do so by sending a "Victory Congratulations Mission" to India, China, the United States and the United Kingdom. The Tibetans were encouraged by a post-war statement by Chiang Kai-shek in which he had promised Tibet the right to self-determination.<sup>86</sup> The Tibetans had also been led to believe that a 1945 Chinese constitutional convention would confirm that position. However, the Tibetans found their attendance as observers at that convention construed by China as Tibet's participation as a part of China. China also protested the travel of the Tibetan mission to other countries, after which the US and UK agreed to receive the mission only at their New Delhi embassies.

In 1948, Tibet sent a trade mission to India, China, the United States and the United Kingdom, intended to purchase gold to back up the Tibetan currency. However, in response to Chinese protest, the US and UK were careful to explain that their receiving of the Tibetan mission was not to be interpreted as diplomatic recognition. Moreover, in the previous year Tibet participated in a semi-official Asian Relations Conference in India despite Chinese protests. In sum, prior to the 1950 Chinese

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86 Chiang Kai-shek, 'National Independence and Racial Equality', *The Collected Wartime Messages of Generalissimo Chiang Kai-shek: 1937-1945*, Compiled by Chinese Ministry of Information, New York: John Day Company, 1946, p. 854.

invasion, Tibet had achieved *de facto* independence and all of the requirements of *de jure* independence except for formal international recognition. The ICJ, in its 1960 report found that:

Tibet demonstrated from 1913 to 1950 the conditions of statehood as generally accepted under international law. In 1950 there was a people and a territory, and a government which functioned in that territory, conducting its own domestic affairs free from any outside authority. From 1913-1950 foreign relations of Tibet were conducted exclusively by the Government of Tibet and countries with whom Tibet had foreign relations are shown by official documents to have treated Tibet in practice as independent State.<sup>87</sup>

Tibet's claim to independence was based upon the principles of national self-determination, even though Tibetans did not articulate their claim in those words. Tibet's territorial and political claim at Simla was based on national criteria of ethnicity and culture. The historical basis for the Tibetan claim was the Treaty of 822, by which China and Tibet recognised each other's territorial boundaries according to what then reflected both political control and ethnic identity. Tibet's claim to Kham and Amdo was hampered, however, as was Tibet's overall sovereignty, by the legacy of Tibet's relationships with the Mongols and Manchu empires. Tibet, in the 20<sup>th</sup> century could still claim to exercise some indirect control and a larger degree of spiritual influence over Eastern Tibet, but Tibetan claims were now compromised by Yuan and Qing administrative divisions of Tibet. Nevertheless, Tibet under the Thirteenth Dalai Lama achieved an unprecedented degree of national unity with Central Tibet, presented its case for independence and for inclusion of all Tibetan cultural areas within a Tibetan polity, and maintained a military and diplomatic defence against the encroachments of the Chinese.

In contrast to the Tibetan claim to territorial sovereignty based on the right to national self-determination. The Chinese claim to sovereignty over Tibet was based upon imperialist rights of conquest, whether by the Mongols, the Manchu or, in Kham, by Chao Erh-feng. For the Chinese, Tibet's ethnic nationalist claims were irrelevant and were not thought of as any basis or justification for political independence. Tibetan nationalism was equated with barbaric resistance to the advance of civilisation. The

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<sup>87</sup> ICJ, *Tibet and the Chinese People's Republic*, 1960, p. 5.



Chinese regarded the expansion of Chinese culture as a natural and inevitable process of civilisation replacing barbarism. China's position after 1919 was that no concessions in regard to Tibet were possible since any compromise of Chinese sovereignty over Tibet was unacceptable to the Chinese people. Chinese negotiations over Tibet up to that time had revealed, however, that they regarded Tibet not as an "integral part of China," but as a dependency potentially lost to a foreign imperial rival. The rise of Kuomintang (KMT) Government in 1928 ended the era of tripartite negotiations over the status of Tibet. The KMT refused to accept British mediation in China's relations with Tibet.

And Britain, which knew that Tibet was de facto independent, continued to recognise Chinese suzerainty over Tibet. Britain's role as mediator of Tibet's status and excluder of other foreign influence from Tibet was dependent upon Tibetan "autonomy" under Chinese "suzerainty". British support of Tibetan autonomy was helpful to the Tibetans in maintaining that autonomy, but Britain's continuing recognition of China's "suzerainty" over Tibet allowed China to maintain its claims even when their actual authority was nonexistent. British patronage for Tibet also allowed China to characterise Tibetan desires for independence as machinations of the British. The British's definition of China's role in Tibet as "suzerain" gave a name to a status previously undefined and, therefore, to some extent served to perpetuate that status. Neither Chinese "suzerainty" nor Tibet's "autonomy" were acceptable to Lhasa. The terms were British impositions on an unwilling and unarmed Tibet, as the appropriate status-based not on actual history but on British imperial security and commercial imperatives.

Tibet functioned as an independent state on the eve of China's military invasion in 1949, possessing all the major attributes of statehood recognised under international law: a well-defined territory, a population inhabiting that territory, a government, and the authority to form international relations and enter into treaties with other states. With the landmass of 2.5 million square kilometres, Tibet's six million people were governed by a *chos-sid zung-drel* (a dual religious-political) government headed by the Dalai Lama, Kashag and Tsongdu. The judiciary system, which was based on the ethical principles formulated by Song-tsen Gampo in the 7<sup>th</sup> century, developed by Jangchub Gyaltsen in 14<sup>th</sup> century, extended by the Fifth Dalai Lama in 17<sup>th</sup> century

and the Thirteenth Dalai Lama in 20<sup>th</sup> Century, was administered by the Magistrates appointed by the Tibetan Government. Moreover, the Government of Tibet levied taxes, issued its own currency, printed postage stamps, commanded army and conducted all the government affairs. Since the 18<sup>th</sup> century Tibet had maintained diplomatic, economic and cultural relations with a number of its neighbouring countries including Nepal, Bhutan, Sikkim, Mongolia, China and British India and to a certain extent with Russia and Japan. The most obvious demonstration of Tibet's independent foreign policy in the twentieth century was the neutral stance that Tibet maintained throughout the Second World War, who despite strong pressures from Britain, the U.S. and China did not permit passage of military supplies through Tibet to China, particularly during Japanese blockade of strategically vital "Burma Road". Tibet also had entered into bilateral agreements with her neighbours. In January 1913, Mongolia and Tibet signed a formal treaty recognising the independent status of each other.<sup>88</sup> Nepal not only concluded peace treaties with Tibet but also maintained Ambassador in Lhasa and later in 1949 when it applied for a membership at the UN, as a proof its statehood, it formally declared its independent diplomatic relations with many countries including Tibet, the United Kingdom, the United States, India and Burma.

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88 "Text of Russo- Mongol Treaty," in Alastair Lamb, *McMahon Line: A Study in relation between British India, China and Tibet, 1904 to 1914*, Vol. 2, London: Routledge & K. Paul; Toronto: Toronto U.P., 1966, p. 606.

## Chapter 2 Tibet: 1950-1959

### 1.2.1 The “Peaceful Liberation” or the Invasion of Tibet

The fact that Tibet was an independent nation in 1949 did not deter the People’s Liberation Army (PLA) from invading Tibet after the Communist Party of China (CPC) came to power on 1 October 1949. No sooner had the Communist regime declared the formation of the People’s Republic of China, General Zhu De, Commander-in-Chief of the PLA, declared Tibet as part of the PRC and made known the PLA’s intention to “liberate” Tibet and Taiwan.<sup>89</sup> The severe criticisms by *New China Daily*, a Communist official paper and the forerunner of *People’s Daily*, against Tibetan Government’s precautionary and timely measures of expelling all Chinese from Central Tibet in the wake of Kuomintang’s defeat could be taken as precursors to coming events. The paper declares that:

The affair of expelling the Han Chinese and Kuomintang officials at Lhasa was a plot undertaken by the local Tibetan authorities through the instigation of the British imperialists and their lackey—the Nehru Administration of India. The purpose of this “anti-Chinese affair” is to prevent the people in Tibet from being liberated by the Chinese People’s Liberation Army.<sup>90</sup>

On 24 November 1949, Radio Peking announced that the Panchen Lama, who was only twelve at the time, had appealed to Mao to “liberate” Tibet.<sup>91</sup> A barrage of similar radio propaganda from Beijing and Sichuan hit the Tibetans,<sup>92</sup> which clearly revealed the Communist regime’s intentions; Tibetans should either accept peaceful liberation

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89 Robert Ford, *Captured in Tibet*, London: George Harrap, 1957, pp.11, 21. Robert Ford was employed by the Tibetan Government as a radio operator for two years. While working for the Tibetan Government he was captured by the Chinese in the aftermath of the battle of Chamdo and “re-educated” in a Chinese prison for five years.

90 ‘No Foreign Aggressors Will be Allowed to Annex China’s Territory’, *New China Daily*, 2 September 1949, as quoted in Warren W. Smith, *Tibetan Nation: A History of Tibetan Nationalism and Sino-Tibetan Relations*, p. 265.

91 The reincarnation of the Ninth Panchen Lama, who died in exile in 1937, although, was discovered by the Panchen Lama’s entourage in exile in Xining, did not receive confirmation from the Lhasa Government, who had another candidate of their own. Tsepon W. D. Shakabpa writes that the followers of Panchen Lama surrendered to the Chinese Communists, sending congratulations to Mao and requesting that Tibet be liberated, in exchange for the recognition by the Chinese of their candidate as the actual incarnations. “Memorandum submitted to the International Commission of Jurists by Tsepon W. D. Shakabpa,” in ICJ, *Tibet and the Chinese People’s Republic: A report to the International Commission of Jurists by its Legal Inquiry Committee on Tibet*, Geneva: International Commission of Jurists, 1960, p. 316.

92 Robert Ford, *Wind between the Worlds*, Berkeley: Snow Lion Graphic, 1987, p. 3.

through negotiation or face armed intervention and forceful takeover. With great urgency and immediacy the Tibetan Government in Lhasa responded that they had no wish to be “liberated”<sup>93</sup> and despatched a three-member team headed by Shakabpa, in December 1950, to inform the Chinese of Tibet’s intention to maintain its independence.<sup>94</sup> Although initially the Tibetans desired to meet with the Chinese representatives in Hong Kong, the refusal of diplomatic visas to visit Hong Kong compelled the Tibetan delegation to negotiate with the Chinese ambassador to India. After several days of talk the Chinese ambassador Yuan Chung-Hsien finally asked the Tibetan delegation to accept Tibet as a part of China and allow China to handle matters concerning Tibet’s national defence. While the Tibetan delegation waited for the expected negative answer from the Tibetan Government, the Chinese armed forces attacked Tibet from Kham on 17 October 1950.<sup>95</sup> Two divisions of the PLA, the 52<sup>nd</sup> Division from the north and the 53<sup>rd</sup> Division from the south, launched a full-scale attack from Eastern Tibet and advanced until the boundary of Xikang, which lies 100 kilometres to the east of Lhasa. The eastern regions of Tibet started to fall one after the other under the vicious attacks of the PLA. On 19 October, Ngabo Ngawang Jigme,<sup>96</sup> Commander of the Tibetan troops and the Governor of Eastern Tibet, surrendered to General Wang Chimi and subsequently he sent messages of the fall of Chamdo. In the face of imminent occupation of Tibet, the Tibet National Assembly offered full ruling power to the fifteen year old Dalai Lama.

The Tibetan Government’s appeal to the United Nations on 11 November 1950<sup>97</sup> resulted with an inclusion of an item on Tibet, entitling ‘Invasion of Tibet by Foreign Forces’, in the Agenda of the General Assembly.<sup>98</sup> Yet, the request from El Salvador

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93 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 299.

94 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 300; Ambassador in India to the Secretary of State, 24 April 1950, Foreign Relations of the United States (FRUS), 1950, Vol. VI, *East Asia and the Pacific*, Washington: Government Printing Office, 1976, p. 333. Indian Ministry of External Affairs (MEA) officials told the American ambassador that they thought Shakabpa was “hoping to persuade Chinese Communists that if they will accord Tibet autonomy and not interfere in Tibet’s internal affairs Tibet will not associate itself with powers opposed to international Communism”.

95 Ibid., p. 300.

96 Ngapoi Ngawang Jigme was later appointed as the head of the Tibetan delegation that signed the 17 Point Agreement with China in May 1951. He later became the Vice Chairman of National People’s Congress Standing Committees.

97 “Cablegram from Kashag (Tibetan Cabinet) and the National Assembly of Tibet,” (Lhasa, Kalimpong), 11 Nov. 1950, UN Doc. A/ 1549, 24 Nov. 1950, in *Tibet in the United Nations*, New Delhi: Bureau of H. H. the Dalai Lama, p. 3.

98 “Request for the inclusion of an additional item in the agenda of the Fifth Regular Session: Letter dated 17 November 1950 addressed to the President of the General Assembly by the Chairman of

on behalf of Tibet was not supported either by India, who believed that peaceful resolution was still possible,<sup>99</sup> or Great Britain, with whom Tibet had concluded several treaties. China's timely intervention with an assurance of resorting to a peaceful way to resolve the Tibetan debacle dissuaded India from pursuing the matter any further at the UN.<sup>100</sup> The Indian delegate at the UN explains thus:

In the latest note received by his Government, the Peking Government had declared that it had not abandoned its intention to settle those difficulties by peaceful means... The Indian Government was certain that the Tibetan question could still be settled by peaceful means, and that such a settlement could safeguard the autonomy which Tibet had enjoyed for several decades while maintaining its historical association with China. His delegation considered that the best way of obtaining that objective was to abandon, for the time being, the idea of including that question in the agenda of the General Assembly.<sup>101</sup>

Based on India's position, the General Assembly's General Committee voted unanimously on 24 November to postpone consideration of the Tibetan issue. The Dalai Lama described the collective sentiments of the Tibetan people when he wrote that "we felt abandoned to the hordes of the Chinese army".<sup>102</sup> China's ploy of halting the advance of the PLA and calling on the Tibetans to negotiate was succeeded in defusing international criticism of its actions. The Tibetan Government could do little but express "grave concern and dismay" at the UN inaction on Tibet's behalf.<sup>103</sup> The

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the Delegation of El Salvador," UN Doc. A/1534, 18 Nov. 1950, in *Tibet in the United Nations*, p.4. The supporting memorandum reiterated the status of Tibet as an independent country. A draft resolution attached condemned "the act of the unprovoked aggression against Tibet".

99 Britain, the US and India each expressed hope that some semblance of Tibet's past autonomy could still be preserved and China's imposition of control over Tibet could remain "peaceful" if negotiations were to take place. *Ibid.*, p. 14.

100 Ambassador in India to the Secretary of State, 20 November 1950, *FRUS, 1950*, Vol. VI, p. 578. As an Indian Foreign Ministry official told the American ambassador: "Their advance has not been beyond boundaries (between) China and Tibet, as CCP (Chinese Communist Party) understands them... This situation will most effectively be negotiated on bilateral [China – Tibet] basis outside the UN".

101 United Nation General Assembly Fifth Session, General Committee 73<sup>rd</sup> Meeting, 24 Nov, 1950, cited in GA, Fourteenth Session, 812th Meeting, UN Doc. A/PV. 812, 20 Sept. 1959, paragraph 124, in *Tibet in the United Nations*, New Delhi: Bureau of H.H. the Dalai Lama, p.11.

102 The 14<sup>th</sup> Dalai Lama, *My Land and My People: Memoirs of the Dalai Lama of Tibet*, New York: Potala, 1977, p. 86.

103 "Text of Cablegram dated 8 December 1950 received from the Tibetan delegation [Kalimpong]," UN Doc. A/1658, 11 December 1950, in *Tibet in the United Nations*, p.15. The Tibetan message invited the UN to send a fact-finding mission to Tibet and proposed to present Tibet's case before the UN.

failure of Tibet's appeal to the UN amalgamated with the rising fear of further Chinese onslaught compelled the Dalai Lama and his government to move its base in Dromo, a medium size town close to the Indian border.

### **1.2.2 The PLA Attacks: China's Imposition of Terms on Tibet**

Imminent Chinese military attack and dismal support from the international community left the Tibetan Government with no alternative but to send a five-member delegation—led by Ngabo Ngawang Jigme—to Beijing in April 1951 to negotiate with the Chinese Government. The delegation met with the Chinese team under Li Wei-han, Chairman of the National Minorities Commission of the National People's Congress and Chairman of the United Front Work Department. According to the Tibetan Government, their delegation was authorised only to put forward the Tibetan stand<sup>104</sup> and learn the Chinese response, but not authorised to use “full powers” and conclude any agreement as claimed in the Chinese White Paper. In fact, the delegation was specifically instructed to refer all important matters to the Government in Dromo.<sup>105</sup>

Despite Beijing's claim that the Tibetan delegation were under no duress it was clear that constant threat of military actions loomed large in their minds while the negotiation was proceeding.<sup>106</sup> The Tibetans were denied permission to contact their government at Dromo on the issue of admitting that Tibet was a part of China, which the Chinese explained was not necessary as “other nations also regarded Tibet as a part of China”.<sup>107</sup> Faced with no other choice the Tibetan delegates signed the “Agreement of the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet,” (Annex 1), on 23 May 1951,

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104 A written statement from the Kashag lists the following five points: 1) There is no imperialist influence in Tibet; the little contact Tibet had with the British was the result of the travels of the 13<sup>th</sup> Dalai Lama to India. As for the relationship with the United States, this was only commercial. 2) In the event of foreign imperial influence being exerted on Tibet, the Tibetan government would appeal to China for help. 3) Chinese troops stationed in Kham should be withdrawn. 4) The Chinese Government should not be influenced by the followers of Panchen Lama and the Reting faction. 5) The territories taken by Manchu China, and Kuomintang and the new government of China must be returned to Tibet. Quoted in Tsering Shakya, *The Dragon in the land of Snows*, London: Pimlico, 1999, p.62.

105 Melvyn C. Goldstein, *History of Modern Tibet , 1913-1951: The Demise of the Lamaist State*, Berkeley: University of California Press, 1989, p. 759

106 “Conversation with Yapshi Sey, Phuntsok Tashi, Brother-in-law of the Dalai Lama,” American Consul, Calcutta to the Department of State, 18 August 1951, National Archives, 793B.00/8-1851, cited in Warren W. Smith, *Tibetan Nation: A History of Tibetan Nationalism and Sino-Tibetan Relations*, p. 295.

107 Ibid., p. 295.

without getting opportunity to refer to their government in Dromo.<sup>108</sup> The Dalai Lama later described the process by which the “agreement” was signed thus:

As soon as the first meeting began, the chief Chinese representative produced a draft agreement containing ten articles ready made. This was discussed for several days. Our delegation argued that Tibet was an independent state, and produced all the evidence to support their argument, but the Chinese would not accept it. Ultimately, the Chinese drafted a revised agreement, with seventeen articles. This was presented as an ultimatum. Our delegates were not allowed to make any alterations or suggestions. They were insulted, and abused and threatened with personal violence, and with further military action against the people of Tibet, and they were not allowed to refer to me or my government for further instructions.<sup>109</sup>

Although the agreement was signed by both the parties, only the Chinese affixed the seals of its government on the documents since the Tibetan delegation maintained that they did not have the appropriate seals.<sup>110</sup> The Chinese had the Tibetan Government seals newly made in Beijing and forced the delegation to seal the document, the account of which was later corroborated by Ngabo Ngawang Jigme in 1992 at a press conference in Beijing.<sup>111</sup> The Tibetans and their supporters accuse the Chinese Government of forging the Tibetan Government seal on the documents and argue that the agreement was invalid. On 26 May 1951, Radio Peking announced the “peaceful liberation of Tibet” and signing of the 17-Point Agreement, which sent waves of shock and alarm throughout Tibet, and prompted a series of debates among the officials of the Tibetan Government who were thrown into quandary regarding Tibet’s ability to preserve its cultural and political identity by accepting China’s demands. The Chinese Government’s promise not to change the Tibetan institutions and traditional practices convinced many that acceptance of the Chinese terms was in the best interest of Tibet. The Dalai Lama and his government returned to Lhasa at the

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108 Melvyn Goldstein, *History of Modern Tibet, 1913-1951: The Demise of the Lamaist State*, Berkeley: University of California, pp. 763-772.

109 Dalai Lama, *My Land and My People*, p.87.

110 Phala Thupten Woden, Oral Archive of Library of Tibetan Works and Archives, in Tsering Shakya, *The Dragon in the Land of Snows*, p. 475, n. 75. Ngabo was in possession of the seal of the Governor of Kham, which he could have affixed to the document as a member of the Kashag, but he refused to use the original seal. Ngabo later told Phala that it was his way of showing his disapproval of the Agreement.

111 Tsering Shakya, *The Dragon in the Land of Snows*, p. 475, n. 76.

end of July 1951 and on 28 September 1951 the Tibetan Government formally accepted the 17-Point agreement. On 25 October the Dalai Lama sent a letter to Mao accepting the 17 Point Agreement.

### **1.2.3 Sino-Tibetan Agreement: Incorporation of China's Term**

The 17-Point Agreement did not address the issue of Tibetan territorial boundaries. Tibetans naturally assumed that all Tibetan cultural areas were treated alike under the provisions of the 17-Point Agreement. The Chinese, however, defined "Tibet" as only the territories of Central Tibet that lies under the direct rule of the Dalai Lama's government and decreed that the 17-Point Agreement should apply only to that area. Soon after the acceptance of the 17-Point Agreement the PLA started occupying Lhasa and Central Tibet. Initially, the Chinese Communist Party (CCP) observed great caution in implementing its policy in Tibet and substantially adhered to the provisions of the 17-Point Agreement or at least their interpretation of the agreement. Generally, it can be said that before 1954 China confined itself to activities aimed at impressing Tibetans without affecting Tibetan autonomy or altering the basic structure of the society. However, as the PLA gained more thorough control over the Tibetan regions, the CCP initiated numerous changes including the creation of territorial divisions, which in essence contradicted its "national regional autonomy" system and in actuality became a contributing factor to the later Tibetan revolts. The CCP's plans for the future "Tibetan Autonomous Region" included only the regions in Central Tibet, but not the territories in Eastern Tibet which would be carved and divided amongst Chinese provinces of Qinghai, Gansu, Yunnan and Sichuan. Even though the Communist rulers attempted to justify the plans for such administrative divisions based on historical realities, which to some extent was legally valid, they could not conceal the strategic interests of placing as much territory as possible within Chinese provincial administration. These eastern territories in Kham and Amdo provinces constituted what the British termed as "Inner Tibet" and had been annexed and incorporated into the above mentioned Chinese provinces long before the Communist came to power.<sup>112</sup> Yet, the people of Kham and Amdo resented the divisions as much as the people of Central Tibet because of their unquestioned loyalty

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<sup>112</sup> A detailed account of the question of Inner and Outer Tibet is given in Melvyn C. Goldstein's 'Change, Conflict and Continuity Among a Community of Nomadic Pastoralists: A Case Study from Western Tibet, 1950-1990', in Robert Barnett and Shirin Akiner (eds.), *Resistance and Reform in Tibet*, Bloomington: Indiana University Press, 1994, pp.76-90.



to the Dalai Lama as supreme head of Tibet.

The exclusion of eastern parts of Kham and all of Amdo from the Chinese defined “Tibet” left more than half of the ethnic Tibetan territory, perhaps the richest half in terms of natural resources, and two-thirds of its population in Chinese provinces and thus outside the provisions of the 17-Point Agreement. Despite these major changes the Chinese nevertheless claimed that they had neither altered the political system in “Tibet”, nor the authority of the Tibetan Government. The PRC’s policy of patching up the ethnic Tibetan areas of Eastern Tibet with Chinese provinces turned out to become a significant factor in the eventual Tibetan revolts against the Chinese rule. Another clause of the Agreement that the whole Tibetan nation was so sensitive about was the maintenance of the status and the functions of the Dalai Lama, which the Chinese promised in Point 4. However, despite the promise that “the Central Authorities will not alter the established status, functions, and powers of the Dalai Lama,”<sup>113</sup> constant attempts were made to reduce the status of the Dalai Lama by instituting reforms that were portrayed as democratic reforms. In Kham and Amdo, experiments with agricultural and pastoral reorganisation were conducted in the early 1950s. The properties of those, who did not collaborate with the United Front, were seized and confiscated. These led to the growing resentment against the “barbaric Chinese forces” which eventually spilled over as revolts exploded in every part of the Easter Tibet.

#### **1.2.4 Revolt in Central Tibet**

By the end of 1954, China had not only tightened its hold over Tibet but also had legalized its claim through an agreement with India, known popularly as the *Panchsheel* Agreement, or the Five Principles of Peaceful Coexistence, in which India formally recognised China’s sovereignty over Tibet.<sup>114</sup> The strategic importance of Tibet prompted the PLA to construct highways in Tibet immediately after the invasion and by the end of 1954 two highways—2,143-kilometre-long Sichuan-Tibet highway and 1,160-kilometre-long Qinghai-Tibet highway—were completed to transport military equipments and personnel, thus enabling quick reinforcements in case of

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<sup>113</sup> The Fourth Point of the 17-Point Agreement. See Appendix I.

<sup>114</sup> ‘Agreement between the Republic of India and the People’s Republic of China on Trade and Intercourse between Tibet Region of China and India’, *People’s Daily*, 29 April 1954, cited in *Tibet 1950-67*, Hong Kong: Union Research Institute, 1968, p. 66.

rebellions and less reliance on local supplies for the army. The completion of these two highways marked a huge shift in Chinese policy in Tibet. In the following year, the PRC adopted a resolution to establish Preparatory Committee for the Autonomous Region of Tibet (PCART) and transfer the political authority from the Tibetan Government to the Chinese controlled Preparatory Committee. To the Tibetans this move was a clear violation of the Article 4 of the 17-Point Agreement.<sup>115</sup>

In 1955, Mao, apparently believing that Chinese control was now secure in almost all of the minority nationality areas, decided that minorities should be included in the “High Tide of Socialist Transformation”, planned for 1956. With the exception of Tibetans residing in the TAR, the rest of the Tibetan people including those living in Kham and Amdo areas were involuntarily included in the socialist transition programs, which introduced “democratic reforms” in Kham and Amdo that involved class struggle against leaders, intellectuals, religious masters through public denunciation termed as *thamzing* (struggle). The attacks against their traditional systems, especially their religion and religious masters, invited the wrath of the Tibetan people of both the areas who took arms and revolted against the Chinese. The revolts in Eastern Tibet soon proliferated and spread to other areas and by the summer of 1956 full-scale guerrilla warfare was raging in Eastern Tibet.

On 22 April 1956, the PCART was formally inaugurated in Lhasa and a contingent of 8000-member delegation from Beijing headed by Chen Yi and Wang Feng arrived in Lhasa. Chen Yi remarked that the establishment of the PCART was a “new milestone for the Tibetan nationality on the road to unity and progress”.<sup>116</sup> The Tibetans were openly hostile to the Commission and it was seen as an alien institution established in direct confrontation with the Tibetan Government. The Dalai Lama in his welcome speech of the PCART warned the PRC about the need to bring the reforms slowly and to respect and protect the religious way of life of his people. He averred that Tibet was not ready for any rapid ‘democratic reforms’ and was still a long way from socialism.<sup>117</sup> The situation in Tibet deteriorated rapidly while the Dalai Lama was on a

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115“Manifesto by Tibetan Leaders,” reproduced in ICJ, *The Question of Tibet and the Rule of law*, 1959, p. 147.

116 PRO (Public Record Office, London), FO 371-122126. Translation of Chen Yi’s speech from the *People’s Daily*, quoted in Tsering Shakya’s, *The Dragon in the Land of Snows*, p. 128.

117 *Tibet 1950-1967*, p. 52; Tsering Shakya, *The Dragon in the Land of Snows*, p. 128.

visit to India in 1956. While in India the Dalai Lama met with Prime Minister Nehru in Delhi and clearly expressed his concerns about the explosive situation back in Tibet and admitted that he was contemplating seeking political asylum in India. However, Nehru was against the idea and advised the Dalai Lama to return back to Tibet to work for his country and people.

In the meantime, Mao made promises of “no reforms” in the TAR for another five to ten years if the Tibetans so wished.<sup>118</sup> Not surprisingly this promise, like the provisions of the 17-Point Agreement, did not apply to Eastern Tibet. Once the Dalai Lama had returned back to Lhasa the “democratic reforms” were carried out with renewed vigour in Eastern Tibet, thus worsening the repressions, which forced tens of thousands of Tibetans to flee to Central Tibet. Within a year the uprising had spread to Central Tibet and two years later *Tensung Dhanglang Magar* (Voluntary Force for Defending the Faith), a joint force of *Mimang Tshongdu* (People’s Assembly) and *Chushi Gangduk* (Four Rivers Six Ranges), was founded, which waged many battles against the Chinese army. As the situation inside Tibet grew more and more tense, rumours began to circulate that the Chinese were planning to kidnap the Dalai Lama and in March 1959, tens of thousands of Tibetans assembled in front of Norbulingka, the Dalai Lama’s summer residence, seeking to protect their leader. This huge gathering exacerbated the charged situation leading to Chinese assault on the civilians that resulted in days of intense fighting between Tibetans and Chinese troops. The Norbulingka palace was shelled and thousands of people were killed. The mass Tibetan uprising initiated by Tibetan civilians demanding for Tibet’s independence was put down with force and martial law was declared for the first time in the history of Tibet.<sup>119</sup>

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118 Roderick MacFarquhar, Timothy Cheek and Eugene Wu, eds., *The Secret Speeches of Chairman Mao*, Cambridge: Harvard University Press, 1989, p.185.

119 John F. Avedon, *In Exile from the Land of Snows*, London: Wisdom Publication, 1984, pp.50-61, 221-222.

## Chapter 3 Tibet: Post 1959

### 1.3.1 Tibet at the United Nations: Three Resolutions

On 25 July 1959, the International Commission of Jurists, under the Chairman of Purshottam Trikamdas—a leading Indian lawyer and a senior advocate at the Supreme Court of India—published a preliminary report on Tibet, entitled *The Question of Tibet and the Rule of Law*. Based on evidences gathered it concludes that actions contrary to Article 2 (a) and (e) of the Genocide Convention of 1948 were carried out in Tibet, which points to “a case of a systematic intention...to destroy in whole or in part of the Tibetans as a separate nation and the Buddhist religion in Tibet”.<sup>120</sup> Although, the Secretary-General of ICJ concluded that Tibet’s legal status “is not easy to appraise” and “cannot be fitted into a logical category,” he nevertheless asserts that “Tibet has been to all intents and purposes an independent country and has enjoyed a large degree of sovereignty,” which would make it difficult for the PRC to claim domestic jurisdiction in Tibet.<sup>121</sup> Whatever the accuracy of the report might be, its content was accepted and used as the main body of evidence during the debate at the UN General Assembly.

As noted earlier, the Tibetan issue had been raised and debated in the UN in November 1950.<sup>122</sup> However, due to India’s assurance that a peaceful settlement could be reached between Tibet and China no particular resolution was passed on Tibet in the United Nations in 1950. On 9 September 1959, the Dalai Lama formally appealed Tibet’s case to the United Nations, informing the UN that no peaceful resolution had been achieved. The appeal reiterated Tibet’s status as a sovereign state, based upon the Thirteenth Dalai Lama’s declaration of independence in 1912, the signing of 1914 Simla Convention with Britain, Tibet’s neutrality during the Second

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120 ICJ, *The Question of Tibet and the Rule of Law*, 1959, p.71. The Article 2 of the United Nation Genocide Convention 1948 reads: “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial and religious group as such; (a) Killing members of the group, and (e) Forcibly transferring children of the group to another group”.

121 Ibid., p. IV. The preliminary ICJ report concluded with a decision to report its findings to the United Nations and constitute a Legal Inquiry Committee on Tibet to follow up on the preliminary study and prepare a final report.

122 “Text of the Cablegram from Kashag (Cabinet),” Kalimpong, 11 November 1950, UN Doc.A/1549, in *Tibet in the United Nations*, p. 3.

World War and the recognition of Tibetan passports used by the 1946 Tibetan Trade Delegation. Shortly after the Dalai Lama's appeal, the General Assembly adopted the Resolution on the Question of Tibet (APPENDIX 2).

The General Assembly...considering that the fundamental human rights and freedom to which the Tibetan people, like all others, are entitled include the right to civil and religious liberty for all without distinction.

Mindful also of the distinctive cultural and religious heritage of the people of Tibet and of the autonomy which they have traditionally enjoyed.

Gravely concerned at reports, including the official statements of His Holiness the Dalai Lama, to the effect that the fundamental human rights and freedoms of the people of Tibet have been forcibly denied them.

Calls for the respect for the fundamental human rights of the Tibetan people and for their distinctive cultural and religious life.<sup>123</sup>

A year later, in August 1960, the ICJ published the findings of its Legal Inquiry Committee<sup>124</sup> in a book titled, *Tibet and the Chinese People's Republic*. The Committee examined three main issues, viz., the question of genocide, Tibet's legal status and Tibetans' human rights. The Committee concluded that there was sufficient evidence of human rights violation and cultural genocide being committed in Tibet.<sup>125</sup> In regard to the question of Tibet's legal status, the Commission concluded that:

Tibet was at the very least a *de facto* independent State when the Agreement on Peaceful Measures in Tibet was signed in 1951, and the repudiation of this agreement by the Tibetan Government in 1959 was found to be fully justified... Tibet demonstrated from 1913 to 1950 the conditions of statehood as generally accepted under international law. In 1950 there was a people and territory, and a government which functioned in that territory, conducting its own domestic affairs free from any outside

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123“Text of the Resolution adopted by The General Assembly at the 14<sup>th</sup> Session on the Question of Tibet,” in *Tibet in the United Nations*, p. 230; ICJ, *Tibet: Human Rights and the Rule of Law*, p. 359. The resolution can be also viewed at the UN General Assembly's weblink:

<http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/141/76/IMG/NR014176.pdf?OpenElement>

124On the recommendation of its 1959 preliminary report, the International Commission of Jurists constituted a Legal Inquiry Committee on Tibet, composed of eleven international lawyers, headed by Purshottam Trikamdas (including two additional members from India and one each from Ceylon, the Philippines, Ghana, Norway, Burma, Malaya, Thailand and the United Kingdom). The committee was instructed to “examine all such evidence obtained by this Committee and from other sources and to take appropriate action thereon and in particular to determine whether the crime of Genocide – of which there is *prima facie* evidence – is established and, in that case, to initiate such action as is envisaged by the Genocide Convention of 1948 and by the Charter of the United Nations”.

125 ICJ, *Tibet and the Chinese People's Republic*, 1960, p. 3.

authority. Tibet surrendered her independence by signing in 1951 the Agreement on Peaceful Measures for the Liberation of Tibet. Under that Agreement the Central People's Government of the Chinese People's Republic gave a number of undertakings, among them: promise to maintain the existing political system of Tibet, to maintain the status and the function of the Dalai Lama and the Panchen Lama, to protect freedom of religion and the monasteries and to refrain from compulsion in matter of reforms in Tibet. The Committee found that these and other undertakings had been violated by the Chinese People's Republic and that the Government of Tibet was entitled to repudiate the Agreement as it did on March 11, 1959.<sup>126</sup>

On 19 December 1961, the Tibet issue came up for discussion in the General Assembly once again and this time it was discussed by a number of states in the context of a subjugated people who is entitled to the right to self-determination. The second resolution on Tibet was passed by a vote of 56 in favour , 11 in opposition and 29 abstinences, despite strong oppositions from the Soviet Union and her allies. (APPENDIX 3) The resolution acknowledges the happenings inside Tibet:

Gravely concerned at the continuation of events in Tibet including the violation of fundamental human rights of the Tibetan people, suppression of their distinctive cultural and religious life which they have traditionally enjoyed,

Noting with deep anxiety the severe hardships which these events have inflicted on the Tibetan people as evidence by the large-scale exodus of Tibetan refugees to the neighboring countries,

Considering that these events violate fundamental human rights with freedoms set out in the charter of the United Nations and the Universal Declaration of Human rights, including the principle of self-determination of the peoples and nations...

Solemnly renews its call for the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedom including their rights to self-determination.<sup>127</sup>

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126 Ibid., p. 6. The ICJ's Purpose was not "to attempt a definitive analysis in terms of modern international law of the exact juridical status of Tibet," but to determine whether the question of Tibet was entirely within the domestic jurisdiction of China or was a legitimate concern of the United Nations. The Committee determined that "Tibet's status was such as to make the Tibetan question one for the legitimate concern of the United Nations even on the restrictive interpretation of matters 'essentially within, the domestic jurisdiction' of a state".

127 Question of Tibet, Resolution of the General Assembly Sixteenth Session (1961), 20 December 1961, in *Tibet in the United Nations*, p. 311; ICJ, *Tibet: Human Rights and the Rule of Law*, p. 360.

The issue of Tibet came in front of the United Nations for the third time when El Salvador, Ireland, Malaysia, Malta, Nicaragua, Philippines and Thailand introduced a draft resolution in August 1965 with essentially the same language as the previous two resolutions. The debate on Tibet was characterised by an ideological split along Cold War lines with the Socialist bloc accusing the United States and her allies of raising the “non existent issue of Tibet”. India for the first time spoke in favour of a UN resolution on Tibet—a shift in position attributable to the 1962 border war with China. India explained that her former opposition to discussion of Tibet in the UN in 1950 was due to assurances received from China that it would “settle the problem by peaceful means”. The final vote on the resolution was approved by a vote of 43 in favour, 26 in opposition, and 22 abstinences.<sup>128</sup> (See Appendix 4)

### 1.3.2 Post-Mao Era

The death of Mao Zedong and Chou En-lai paved the way for Deng Xiaoping’s rise to power and with it began a new era in relations between the exile Tibetan leadership and Beijing. The new leadership rejected the Maoist orthodoxy in favour of more flexible and pragmatic policy to win the minority groups. Soon after his emergence as the national leader, Deng Xiaoping showed serious interests in normalising relations with the Dalai Lama. As part of the liberalisation policy initiated by Deng Xiaoping China made a number of unilateral gestures such as releasing the Tibetans imprisoned since 1959. Announcements were made that the exile Tibetans, including the Dalai Lama, will be allowed to return to China and Tibetans living inside Tibet can visit their relatives abroad. Contacts with the exile community were initiated by Deng, who despatched a message for the Dalai Lama through his brother Gyalo Thondup stating that apart from the question of total independence all other issues could be discussed and all problems could be resolved.<sup>129</sup> This became the basic condition of all the future talks between the two parties.

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The resolution can be viewed at:  
<http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/167/76/IMG/NR016776.pdf?OpenElement>  
 128 United Nations General Assembly, Twentieth Session, Resolution 2079 (XX), 18 December 1965, ICJ, *Tibet: Human Rights and the Rule of Law*, p. 361. The Resolution can be also viewed at:  
<http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/218/42/IMG/NR021842.pdf?OpenElement>  
 129 According to Dawa Norbu, the condition was stated as follows, “The basic question is whether Tibet is a part of China or not. This should be kept as criteria for testing the truth... So long it is not accepted that Tibet is an integral part of China, there is nothing else to talk about,” in Dawa Norbu, *China’s Tibet Policy*, p. 316. This condition has been widely interpreted as being: “anything, apart from independence, can be discussed”.

At Deng's invitation the Tibetan Government-in-Exile sent three fact-finding delegations to China in 1979 and 1980, who reported back to the Dalai Lama the prevailing conditions inside Tibet. The visits revealed that the Chinese proclamations of socialist progress in Tibet had little substance. The living standard of the Tibetan people was poor, economic development was minimal, and the destruction of religion and monasteries almost total. The Chinese were even less successful with the ideological transformation of the Tibetan people, who despite listening to Chinese Communist propaganda and ideological pronouncements for twenty years still retained strong faith and trust in the Dalai Lama. The overall impact of the delegations was precisely the opposite of what Beijing had hoped.<sup>130</sup>

The CCP leaders, realising that the conditions inside Tibet were not as they had been led to believe by the Chinese cadres in Tibet, convened the first Tibet Work Meeting in early 1980. Soon after, in May 1980, the Party Secretary Hu Yaobang and Vice Premier Wan Li made an unprecedented fact-finding visit to Tibet. Hu was shocked and dismayed by the rampant poverty that he observed in Tibet.<sup>131</sup> Upon his return to Beijing, Hu Yaobang immediately announced a six point reform program for the TAR.

1. Tibet must be given full rights to exercise regional autonomy.
2. There would be a period of recuperation during the first three years of which people in Tibet would be exempt from paying taxes and meeting state purchase quotas.
3. A flexible economic policy suited to Tibet's special conditions should be adopted.
4. A greater part of the state subsidy should be used for development of agriculture and animal husbandry.
5. Tibetan culture, language and education should be developed following socialist orientation.
6. The Party's policy on minority cadres should be implemented and should promote unity between Chinese and Tibetan cadres.<sup>132</sup>

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130 For Detail reports of the three fact-finding delegations see, Dept. of Information and International Relations (CTA), *From Liberation to Liberalization*, Dharamsala, 1982. Tenzin N. Tethong, "Reports on the Second Delegation to Tibet," p. 103; Jestun Pema Gyalpo, "Three Months in Tibet: A Personal Viewpoint," p. 113 and Phuntsog Wangyal, "The Report from Tibet," p. 153.

131 Jigme Ngabo, 'Behind the Unrest in Tibet', *China Spring*, vol. 12, no.1, January-February 1988, p. 26.

132 New China News Agency, "Six Requirements for Tibet," 30 May 1980, translated in SWB, 1980, no. FE/6436/B11/1-6, 4 June 1980.



This landmark public statement was preceded by Hu's acknowledgement of the Chinese Party's failure in Tibet at a meeting attended by more than 4,500 leading regional and Communist Party members and Tibetan members of the CPPCC. He says:

We feel that our party has let the Tibetan people down. We feel bad. The sole purpose of our Communist Party is to work for the happiness of the people, to do good things for them. We have worked nearly thirty years, but the life of the Tibetan people has not notably improved. Are we not to blame?<sup>133</sup>

Hu is said to have equated the previous 20 years of Chinese effort to develop Tibet as equivalent to throwing money into the Lhasa River and compared the situation in Tibet with colonialism.<sup>134</sup>

In March 1981, in a formal letter to Deng Xiaoping, the Dalai Lama while applauding Hu Yaobang's efforts to remedy the situation, criticised the conditions in Tibet.<sup>135</sup> In response to that Hu Yaobang presented a five point proposal on July 28 of the same year. The proposal was meant to serve a multipurpose: first of remedying the grievances of the Tibetan people, but also to counter any criticism from the Dalai Lama about conditions that his delegation had witnessed and to entice the Dalai Lama to return to Tibet. The five points were:

1. The Dalai Lama should have confidence in China's new entered period of stability and economic change. If he doubts the reforms, he should observe the changes for the next few years.
2. The Dalai Lama and his representatives should not raise the history of repression that followed the suppression of the 1959 rebellion.
3. The Chinese government sincerely welcomes the Dalai Lama and his followers to return to the motherland. China hopes that the Dalai Lama would contribute to upholding China's unity and promote solidarity between Han and Tibetan nationalities.

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133 Wang Yao, "Hu Yaobang's visit to Tibet, May 22-31, 1980," in Robert Barnett & Shirin Akiner (ed.), *Resistance and Reform in Tibet*, p. 288.

134 Jigme Ngabo, 'Behind the Unrest in Tibet', p. 26.

135 The full version of the letter was published in *Tibetan Review*, 1993, vol. XXVIII, no.10, pp. 9-14.

4. The Dalai Lama would have the same political status and living conditions as he had before 1959. He may be appointed Vice-Chairman of the NPC. But it would be not necessary that he should not live in Tibet or hold any position in Tibet as there are younger Tibetans who have taken office and are doing their jobs well. He may visit Tibet as often as he likes.
5. When the Dalai Lama returns he may make press statements, and arrangements would be made to receive him by a suitable minister and issue a press release.<sup>136</sup>

The five-point proposal clearly reflected the Chinese government's preferred view that the Tibet Question was fundamentally a dispute between China and the Dalai Lama rather than between the government of China and the Tibetan "Government-in-Exile". The proposal outlines the specific conditions under which his return would be acceptable and what his status would be, thus reducing the Tibet question to a personal matter of the Dalai Lama. Beijing strongly hoped that the return of the Dalai Lama would provide legitimacy to the Chinese occupation of Tibet, end the international dialogue over Tibet and persuade the Tibetan masses to genuinely accept themselves as being part of the People's Republic of China. As shall be seen in the next chapters China has steadfastly held on to this strategy of personalizing the Tibet issue.

By 1984, Hu Yaobang's initiatives were criticised for encouraging a resurgence of nationalism in Tibet. The Second Work Forum of 1984 adopted a new strategy of developing economy as measures of maintaining stability and integrating Tibet into China. Thus, the Work Forum launched an open-door policy that required the introduction of large number of Chinese cadres and "experts" into Tibet and permitted entry of thousands of petty entrepreneurs, irrespective of local concerns about growing Chinese population in Tibet.<sup>137</sup> The failure of dialogues and Beijing's persistent aggressive policies in Tibet compelled the Dalai Lama and the Tibetan Government-in-Exile to "internationalise" the Tibet issue and seek support in the western countries. In several high level meetings with the US Congressmen and the European Parliamentarians, the Dalai Lama unveiled his Five Point Peace Plan and

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136 *Xizang Qingkuang Jianjie* (Summary of Conditions in Tibet), Zhonggong Xizang Zizhiqu Dangwei Xuanchuanbu Bian (TAR CCP Propaganda Department) July 1985, p. 32, cited in Tashi Rabgey and Tsetan Wangchuk Sharlho, *Sino-Tibetan Dialogue in the Post Mao Era: lessons and Prospect*, East-West Center, Washington, 2004, p. 6.

137 Tseten Wangchuk Sharlho, "China's Reforms in Tibet: Issues and Dilemmas," *Journal of Contemporary China*, vol. 1, no. 1, 1992, p. 54.

the Strasbourg Proposal, which finally brought the Tibet issue on international stage. I shall go into more detail about these issues in the later chapters. Such was the state of Tibet when it entered into the last decade of the last millennium.

## PART II TIBET ISSUE IN THE LAST DECADE

### Chapter 4 Sino-Tibetan Relation from 1990-2000: the Internationalisation of the Tibetan Issue

Since the initiation of the Deng's new policy towards Tibet in 1979, the Dalai Lama had sent four fact-finding delegations to inner and outer Tibet, and two exploratory teams to Beijing in 1982 and 1984.<sup>138</sup> The reports of the fact finding delegations showed that the so called development claimed by the Chinese government had little substance and that the years of repression of all aspects of Tibetan culture and the endless propaganda on the superiority of Chinese socialism had not eradicated Tibetan nationalism and their faith in the Dalai Lama.<sup>139</sup> Similarly, the result of the two exploratory teams made no progress towards any substantive negotiations.<sup>140</sup> Under these circumstances with no other means to bring Beijing to the negotiation table, the Dalai Lama felt compelled to internationalise the Tibet issue and seek Western support in resolving the Sino-Tibetan problem.

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138 *Xinhua* (Chinese language), "Xi Zhongxun Receives Dalai Lama's Representative," 30 November 1984, translated in BBC Summary of World Broadcasts, SWB FE/7817/BII/1, 4 December 1984.

139 Reports of the fact finding delegations to Tibet, *From Liberation to Liberalization*, 1982.

140 The exploratory teams of the Tibetan government-in-exile who visited China in 1982 and 1984 made a proposal containing two major points: 1) The unification of the ethnic and cultural Tibetan areas into one autonomous unit; and 2) A higher degree of autonomy than that was offered to Taiwan in the PRC's Nine Point Proposal. China's response in 1982 was that Tibet had already been "liberated" in 1950 and was on its way to socialism whereas Taiwan is yet to be liberated. Stated in 'Policy Towards the Dalai Lama', *Beijing Review*, 15 November 1982. When the Tibetan delegation reminded that the Chinese Communist Party, at the First All-China Congress of Soviets on the Question of National Minorities (November 1931), had recognised the right of the national minorities to self-determination Chinese response was, "We [the CCP] were a child at that time but now we are grown up," cited in Dawa Norbu, *China's Tibet Policy*, p. 321. To the second Tibetan exploratory team China mentioned that though the areas inhabited by the Tibetans are adjacent they have not been unified for a long time, thus the local economy and socio-cultural aspect of Inner Tibet have developed differently from Outer Tibet. China argued that the unification of Kham and Amdo provinces with the TAR would bring no economic and cultural benefits because of the vastness of the land and difference in the socio-cultural development. They further added that unless the demand for a Greater Tibetan Autonomous Region is dropped "we cannot have negotiations". This intransigent stand has been conveyed by various Chinese Officials to the Dalai Lama's Representatives in 1981, 1982 and 1984. Stated in Dawa Norbu, *China's Tibet Policy*, p. 322, citing views conveyed by Jiang Ping (Deputy Head of the Central Committee United Front), to the representatives of the Dalai Lama 1984; See also 'Policy Towards the Dalai Lama' in *Tibet: Today and Yesterday*, ed. Su Wenming, Published by Beijing Review, 1983, pp. 67-70, The article was a reprint of political editorial An Zhiguo which first appeared in *Beijing Review*, vol. 25, no. 46, 15 November 1982, pp. 3-4.

### 2.4.1. Collapse of Beijing-Dharamsala Dialogue and its Consequences

The first major initiative to internationalise the Tibet issue was launched on 21 September 1987 when the Dalai Lama announced the famous Five-Point Peace Plan addressed to the US Congressional Human Rights Caucus. He made it known to the world that the Chinese refusal to negotiate forced him to appeal to the international community for their support. In that speech the Dalai Lama described Tibet as an “independent state under illegal occupation”. He criticised the Chinese for reducing the Tibetan issue which concerned the six million Tibetan people to the issue of his own personal status.<sup>141</sup> The United States’ sympathy for Tibet appeared in an editorial in *New York Times* which urged the State Department to stand up for decency in Tibet. Few days after the Dalai Lama’s speech, eight members of Congress<sup>142</sup> wrote a joint letter addressed to Zhao Ziyang, who succeeded Hu Yaobang as Party Secretary, commending the peace proposal as an historic step toward resolving the question of Tibet and urging China to accept it as a basis for negotiation.<sup>143</sup>

It is obvious from this act of the Congress members that there was an overwhelming support for the Tibet issue in the US Congress. However, the US State Department, which disapproved the Dalai Lama’s five-point proposal, had a different stand on Tibet. In clarifying its position one State Department official labeled the Senate’s account of the situation in Tibet as “inaccurate, incomplete, and misleading”.<sup>144</sup> Furthermore, another member of the State Department said that the possible benefits

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141 The 14<sup>th</sup> Dalai Lama, *Five-Point Peace Plan for Tibet*, New Delhi: Bureau of His Holiness the Dalai Lama, 1988, p.4. The first point of Five-Point Peace Plan talks of the Chinese security concerns. The Dalai Lama urges that his concept of a peace zone is “in keeping with Tibet’s historical role as a peaceful and neutral Buddhist nation and buffer state separating the continent’s great power. It would also be in keeping with Nepal’s proposal to proclaim Nepal a peace zone and with China’s declared support for such a proclamation. The peace zone proposed by Nepal would have a much greater impact if it were to include Tibet and neighbouring areas”. However, converting Tibet into a zone of peace would require the withdrawal of Chinese troops and military installations from the Himalayan regions which, according to him, could be achieved under an international agreement that would not only satisfy China’s legitimate security needs but also build up trust among the Tibetans, Indians, and the Chinese people. He also warned the Chinese to stop their population transfer policy before the Tibetans become just a tourist attraction and “relic of a noble past”.

142 Guangqiu Xu, *The United States and the Tibet Issue*, Asian Survey, Vol. 37, November, 1997, p. 1068. The author is a scholar on Sino-US relations. His articles have appeared in many international journals such as *Modern Asia Studies*, *Journal of Contemporary History* and *Asian Survey*. He is the author of several books.

143 ‘United States, Public Law 100-204, 22 December 1987’, DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, 4<sup>th</sup> ed., DIIR, Dharamsala, March 2005, p. 158.

144 On October 6, 1997, the Senate passed an amendment with a 98 to 0 vote highlighting its Congressional concern over the human rights abuses in Tibet. Elaine Sciolino, ‘Beijing is Backed by Administration on unrest in Tibet,’ *New York Times*, October 7, pp. A1 and A9.

of the Senate action for the Tibetan people were “insufficient to outweigh the almost certain damage to the U.S.-China bilateral relationship”.<sup>145</sup> A week later, in October 1987, J. Stapleton Roy who was then the deputy assistant secretary of state for East Asian and Pacific Affairs and later the US ambassador to China, in his testimony before the House of Foreign Affairs Subcommittee clarified the State Department’s position on Tibet. He criticised the Dalai Lama’s actions, complaining that the Dalai Lama had abused the US hospitality by engaging “in activities inconsistent with his status as a respected religious leader” and reminded him his visa had been issued solely on religious grounds.<sup>146</sup> The spokesman asserted that though the US support for human rights was “unwavering,” it was not in the interest of the US to link Tibet’s human rights issue to any particular political program. He further emphasised that neither the US nor any member of the UN had recognised Tibet’s independence, a clear indication of divergent positions taken by the US State Department and the US Congress on the issue of Tibet.

The Chinese reacted to the Dalai Lama’s Five-Point Peace Plan proposal by issuing a detailed rejection of the proposal.<sup>147</sup> In an article carried by *Beijing Review* the PRC stated that the status of Tibet was “a question which simply does not exist”. The Dalai Lama’s plan, they said, was nothing more than a “continued preaching of the independence of Tibet”.<sup>148</sup> In a memorandum, dated 17 October 1987, sent to the exile Tibetan Administration, Yang Minfu, the then director of the United Front Work Department, blamed the Dalai Lama for instigating the demonstrations in Lhasa.<sup>149</sup> Although it did not make any direct comments on the Dalai Lama’s Five-Point Peace

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145 Ibid.

146 State Department Bulletin, vol. 87, no. 212a, December 1987.

147 This was issued by the State Nationality Affairs Commission on 28 September 1987, stated in Tsering Shakya, *The Dragon in The Land of Snows*, p. 523, n 61.

148 ‘China Opposes Dalai’s Statement’, *Beijing Review*, 5 October 1987, p. 6.

149 On 27 September, a pro-independence demonstration was staged in Lhasa by the Drepung monks. The brutal suppression of the demonstration triggered another protest on 1<sup>st</sup> October by a group of monks from Sera monastery, which was later joined by the lay Tibetans. The demonstration turned violent when the Chinese police started firing on the unarmed crowd. For details ‘Demonstration Disrupt Peace in Lhasa,’ *Beijing Review*, 12 October, 1987, p. 5; Tseten Wangchuk Sharlho, ‘China’s Reforms in Tibet: Issues and Dilemmas,’ *Journal of Contemporary China*, vol. 1, no. 1, Fall 1992, p. 55; *Defying the Dragon: China and Human Rights in Tibet*, London: Tibet Information Network and Law Association for Asia and the Pacific Human Rights Standing Committee, 1991, p. 21; An official Chinese account of the demonstration was given in *Beijing Review*, March and April 1989, stated in Tsering Shakya, *The Dragon in The Land of Snows*, p. 523, n. 65 and for footages on the Lhasa demonstrations view the documentary film, *Tibet: Cry of the Snow Lion*, an Earthworks/Zambuling production, directed and photographed by Tom Poesay, 2004.

Plan, it however, warned the Dalai Lama not to make a “mistake by placing hopes on external support”.<sup>150</sup> The memorandum declared that the future course of policy in Tibet would depend on the Dalai Lama, and his continuous engagement in splittist activities could force the Chinese to adopt sterner measures in Tibet.<sup>151</sup> The despatch, nevertheless, concluded that the Dalai Lama was still welcome to return under the terms of Hu Yaobang’s five-point policy of 1981.

A year later, on 15 June the Dalai Lama announced the Strasbourg Proposal in which he, for the first time, made a public acknowledgement stating that his Government-in-Exile would accept the Chinese sovereignty over Tibet in exchange for a genuine and well-defined autonomy. The proposal elaborated on some of the points first raised by the Tibetan exploratory teams in 1982 and 1984. As far as the Dalai Lama was concerned, the Strasbourg Proposal represented a compromise solution to the Tibetan problem that meets with Deng Xiaoping’s precondition for negotiation of not bringing the “question of Tibetan independence”. But the proposed solution was still not acceptable to the Chinese government who, nevertheless, showed some interest in talks. An official news briefing on 23 June 1988 carried a comment from the Chinese Foreign Office spokesman which rejected “independence, semi-independence or even independence in disguised form” for Tibet and also the Dalai Lama’s demand for an “associate” status for Tibet.<sup>152</sup> However, since the official comment rejected any form of independence the Chinese practically rejected the Dalai Lama’s proposal as it envisions a form of semi-independence. Similar public messages were issued by many other Chinese ambassadors in abroad. Nevertheless, the messages made no specific conditions except that the Strasbourg proposal cannot be the basis of negotiation, but in a conciliatory gesture, the choice of selecting the date and the

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150 ‘Memorandum from Yang Minfu to the Exile Tibetan Administration, Beijing, 17 October 1987’, *Dharamsala and Beijing: Initiatives and Correspondence 1981-1993*, 2<sup>nd</sup> edition, Dharamsala: DIIR, 1996, p. 26.

151 Ibid., p. 25.

152 Amrita Bazar Patrika (Calcutta), 24 June 1988, stated in Dawa Norbu, *China’s Tibet Policy*, p. 436, n. 27; Yet another source give a different version of the event. According Kasur (Former Cabinet member), Sonam Topgyal, a verbal message was conveyed by the Chinese Embassy in Delhi to Kasur Alak Jigme prior to the 23 September Chinese official message. The message was brief and contained only that the Dalai Lama can choose a date and a venue for talk, the only condition being that the venue had to be at one of the Chinese embassies or consulates. The Tibetan government reply conveyed on 25 October 1988 was based primarily on the first verbal message before the conditions set up by the Chinese in the second statement were made known to them. Phone Interview with Sonam Topgyal on 11.12.2005.

venue was left to the Dalai Lama.<sup>153</sup> On 23 September 1988, the official reply to the Strasbourg Proposal was delivered by the Chinese Embassy in India to the Dalai Lama's Representative in New Delhi.<sup>154</sup> However, in the second message despite the difference in the wordings it was evident that China remained intransigent on the essential points of the negotiation, sticking to guidelines set up by Deng Xiaoping and Hu Yaobang.

Taking up on the Chinese messages, on 27 July the Exile Tibetan government publicly announced that the talks would be held in January 1989 in Geneva. It also presented the list of the six members of the negotiating team, including the names of the two overseas representatives of the Dalai Lama to assist the team and a Dutch lawyer as a legal advisor.<sup>155</sup> Subsequent to that the second Chinese message carried three points: 1) Beijing would not talk to the members of the exile Tibetan government; 2) The infeasibility of the Strasbourg Proposal as the basis for discussions since the Beijing Government viewed that the new proposal had not relinquished the concept of Tibet's independence; and 3) Non-involvement of any foreigner in the team. The fact that the message was addressed to the Dalai Lama personally implied that China was bent on excluding the Exile Government and to exhibit that the ongoing dialogue was one between the Chinese government and the Dalai Lama, but not with the Dalai Lama as the head of the Tibetan Government-in-Exile. The Exile Tibetan Government's response delivered to the Chinese embassy on 25 October 1988 by Alak Jigme<sup>156</sup> was based primarily on the earlier messages which

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153 Phone Interview with Kasur Sonam Topgyal on 11.12.2005.

154 'Memorandum to Deng Xiaoping and Jiang Zemin from His Holiness the Dalai Lama, 1 September 1992'; *Dharamsala and Beijing: Initiatives and Correspondence 1981-1993*, p. 72; Press Release from the Chinese Embassy in New Delhi, India, 28 September 1988, stated in Tsering Shakya, *The Dragon in The Land of Snows*, p. 426, n 96.

155 According to the Exile Tibetan Government Michael van Walt van Praag (scholar of international law), a Dutch lawyer, was appointed as the legal advisor in accordance with the international norms for negotiations. However, critics exist in the Exile Tibetan community of his involvement in the Tibetan internal affair and accused him of influencing the Dalai Lama in formulating the Strasbourg Proposal since the option he had advocated in his book *The Status of Tibet*, 1987, have some similarities with the Strasbourg Proposal; see Jamyang Norbu, 'In Deng's New World An Illusion Dies', *Tibetan Review*, 1989, vol. 24, no. 8, pp. 13-17. In a letter to *Tibetan Review*, 1989, vol. 25, no. 11, pp. 22-23, Michael van Walt van Praag denied of such involvement. Jamyang Norbu is a novelist, playwright and a leading political writer on Tibet. Norbu has authored a number of articles and books, including the *Buying the Dragon's teeth and Illusion and Reality*. He won the Crossword Award for English Fiction, 2000. He was a former member of the Tibetan resistance movement in Mustang on the Nepal-Tibet border and was also the co-founder director of the Amnyen Machen Institute in Dharamsala.

156 The Tibetan official reply to the Chinese initiative of holding talks was delivered by Alak Jigme to



contained no specific conditions.<sup>157</sup> However, the Chinese embassy did not respond right away.

Meanwhile Yang Mingfu, the head of the United Front Department at a meeting with Gyalo Thondup in Beijing expressed China's displeasure at the Exile Tibetans action to announce the venue and names of the delegates. He accused the exile government of appointing members in the team who were officials of the exile Tibetan administration, which according to China had engaged in "splittist activities". He added that Strasbourg proposal cannot be the basis for talks. Nevertheless, he showed positive gesture in holding talks to resolve the issue mutually. However, in November 1988, Chen Xin, the then Vice-Minister of State Nationalities Affairs Commission, in a strong criticism denounced that the Dalai was not sincere towards the proposed talks of 1989 in Geneva as he himself was not taking part in the talks. Chen stated, "We have never recognised the Government-in-Exile headed by the Dalai Lama. That is why we will only hold talks with the Dalai Lama himself and will not hold talks with a so-called "government" delegation sent by the Dalai Lama". The inclusion of a foreigner in the Tibetan delegation was said to have breached the principle adhered to by the Beijing government.<sup>158</sup> And this same line was repeated by Ngabo four months later at the Second Session of the National People's Congress. Ngabo said that the Dalai Lama was still welcomed to return to China as long as the Dalai Lama eschews Tibet's independence and works for the unity of the country.<sup>159</sup> The Dalai Lama in his letters to Deng Xiaoping and Jiang Zemin, sent in September 1992 lamented that "with a flexible and open attitude, we accommodated the Chinese Government's requests and agreed to send representatives to Hong Kong."<sup>160</sup> Unfortunately when

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the Chinese Embassy on 25 October 1988, *Tibetan Review*, vol. 23, no. 11 (November 1988), p. 4. Alak Jigme at his meeting with Zhao Xingsong, a councilor from the Chinese Embassy in New Delhi, was asked two questions: 1) Whether the Dalai Lama would participate in the talks; and 2) If a Dutch International lawyer was a member of the team. In order to procure direct information from Alak Jigme regarding this matter I requested for an interview with him which he refused suggesting me to consult officials journals published in the vicinity of that time.

157 Phone interview with Kasur Sonam Topgyal.

158 *Wen Wei Po* (Hong Kong), 25 November 1988, stated in Dawa Norbu, *China's Tibet Policy*, p. 332, n. 31.

159 'Ngabo Reiterates China's Policy Toward Dalai Lama', *Xinhua* (Beijing), 31 March 1989.

160 On 18 November 1988, the Chinese Government rejected Geneva as a venue for talks and expressed its preference for Beijing or Hong Kong as possible venues. They set conditions that the Tibetan negotiating team could not include "a foreigner", that the team should have older people, including the Dalai Lama's younger brother Gyalo Thondup. The Tibetans explained that the foreigner was only a legal advisor and not an actual member of the negotiating team and that Gyalo Thondup would also be included as an advisor to the team. Memorandum to Deng Xiaoping and

both sides had finally agreed on Hong Kong as the site for preliminary discussions, the Chinese Government refused to communicate any further and failed to live up to its own suggestion”.<sup>161</sup>

It is worthwhile to note how China had failed to live up to its own suggestion and maintained the flexibility that it displayed in the earlier messages but at the same time Tibetans inclusion of a foreigner albeit as an advisor gave China a good excuse to accuse the Tibetans of being insincere and a reason to be more suspicious of the Tibetans’ intention. However it cannot be concluded as an intentional act on the Tibetan part since my conversations with the staffs of Tibetan Exile Administration revealed that, despite their studied silence on the issue of trust, there was some distrust among the Tibetan leadership with the Communist regime.<sup>162</sup> And it is quite understandable given the fact that Chinese themselves have violated the Seventeen Point Agreement which was achieved under duress and lacked the witness of a third party to that treaty. Other past experiences with the Communist regime also contributed to the realisation of the expediency of a third party which manifested in the inclusion of a foreign lawyer as an advisor to the negotiating team. The proposed meeting in Geneva 1989 did not take place and with that the Sino-Tibetan dialogue initiated in 1979 ended with no tangible results for both parties.

In the meantime, inside Tibet demonstrations took place frequently since 1987 and Chinese authorities hardened its policy which disrupted the proposed talks. Hardliners in the Chinese government used the turmoil in Tibet as ammunition to attack the liberals for their relatively lenient policy towards Tibet. A consequence of the hardening of the policy was the dismissal of Wu Jinghua,<sup>163</sup> who was known for his

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Jiang Zemin from His Holiness the Dalai Lama, 1 September 1992’ (translated from Tibetan), *Dharamsala and Beijing: Initiatives and Correspondence 1981-1993*, p. 73.

161 Ibid., p. 72, (pt. 10).

162 In the past three years during my research trips to India and Nepal I had conversations with a number of staffs who were and are currently in the Exile Tibetan Administration which made me come to the conclusion that there is widespread distrust with the Communist regime’s Tibet policy.

163 Wu Jinghua, succeeded Yin Fatang, the First Party Secretary of the TAR in 1985. He was the first Party Secretary in the TAR, who was not a veteran military cadre and during his term, the liberal minded Wu Jinghua, called on the Communist Party to respect the fact of the Tibetans universal belief in Buddhism and warned that any attempt to undermine their belief would be met with resistance. Even the late Panchen Lama is said to have described Wu as ‘one of the best officials of Tibet. Being a Yi minority himself, Wu was reported to be sympathetic to the Tibetans’ problems. Until Wu Jinghua, the Party Secretaries of the TAR had been of Han nationality.

liberal stand, as the Party Secretary of the TAR. He was replaced by Hu Jintao,<sup>164</sup> the present President of the PRC and the General Secretary of the Communist Party of China, a hardliner under whose term martial law was imposed in TAR in 1989. This move can be identified as a significant change in the Chinese leaderships' stand towards Tibet. Another important factor which angered the Beijing authorities was the Dalai Lama's refusal to accept the invitation extended by the Chinese Buddhist Association to attend the commemorative ceremony in Beijing for the late Panchen Lama. Some scholars opined that had the Dalai Lama visited Beijing it would have given him an opportunity to meet with the Chinese officials and helped in resuming the interrupted talks.<sup>165</sup> However the Tibetan Government-in-Exile interpreted the invitation as China's attempt to bypass the Exile government by proposing to meet directly with the Dalai Lama.<sup>166</sup> According to some Tibetan officials<sup>167</sup> there were other reasons which dissuaded the Dalai Lama from accepting the invitation. First, there is no tradition of observing commemorative ceremony for deceased Lama in the Tibetan Buddhist culture. Secondly, the invitation was sent on a short notice just a week before the ceremony was to be held and last, the Tibetans' apprehension for the safety of the Dalai Lama who represents their only hope as the controversy of the late Panchen Lama's mysterious death was fresh in the mind of the Tibetans. Another factor which contributed to the Tibetans' doubts over the Chinese sincerity was the Chinese refusal to allow the Dalai Lama to attend the Panchen's funeral ceremony in Shigatse while approving the invitation for the Commemorative ceremony in Beijing. Even if the Dalai Lama had accepted the invitation it remained uncertain whether he could have met with high officials of the Chinese government since many leaders who engineered the invitation were later purged from their position.<sup>168</sup> Whatever the

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164 Hu Jintao served as the Party Secretary in the TAR from 1988-1992. Hu Jintao was accused for the deaths of several Tibetan activists during the political crack down in the early 1989.

165 Melvyn Goldstein, *The Snow Lion and the Dragon: China, Tibet, and the Dalai Lama*, Berkeley: University of California Press, 1997, p. 90. The author described the Dalai Lama's decision not to accept this invitation as one of the most important missed opportunities on the part of the Dalai Lama.

166 Warren W. Smith, *Tibetan Nation: A History of Nationalism and Sino-Tibetan Relations*, p. 617, from his personal communication with Lodi Gyari, Washington, February 1995.

167 Phone interviews conducted in December, 2005 with Tsegyam, the current Director of the Tibet Religious Foundation in Taipei, Namgyal Shastri, a reporter for the Voice of America, Tibetan Section and Tendar, a staff at the Tibet Office in New York, Lobsang Shastri, a member of ATPD and Dakpa Namgyal Khyunglho, a former member of ATPD who was in for the 4<sup>th</sup> Fact Finding Delegation to visit Tibet which did not take place due to Chinese refusal.

168 Tashi Rabgey and Tsetan Wangchuk Sharlho, *Sino-Tibetan Dialogue in the Post-Mao Era: Lessons and Prospects*, East-West Center Washington, 2004, p. 50, n. 23.

case may be the fact that the power had shifted to the hardliners and the policy had hardened is undeniable.

Besides the above mentioned factors, an external factor which had contributed to hardening of Beijing's Tibet policy was the normalisation of Sino-Soviet relations in 1986 that allayed Beijing's fear of the USSR's support for the Dalai Lama. Based on Phuntsok Tashi Takla's<sup>169</sup> account, it is clear that China was cautious of Soviet intervention in the Tibet issue and therefore to prevent such opposition, it took initiatives to resolve the Tibet problem in the early 1980s<sup>170</sup> in particular, to prevent the Dalai Lama from falling under the Soviet Union's influence. Evidently, Beijing perceived external interventions including military supports from India<sup>171</sup> and the Soviet Union for the Dalai Lama. Beijing government, primarily for strategic considerations tried to initiate the return of the Dalai Lama in the early 1980s<sup>172</sup> However, the normalisation of Sino-Soviet relations made Beijing feel free of any external threat which led to the adoption of harder measures against Tibet.

The Dalai Lama had repeatedly announced that he was not seeking the "independence" of Tibet. However, the Chinese noted that both the Dalai Lama's<sup>173</sup> Five-Point Peace Plan and the Strasbourg proposal were based on the assumption that

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169 Phuntsok Tashi, Takla, *Mi-tshe'i byung-ba brjod-pa* (An Account of the Life's Event), Vol. 3, Dharamsala: Library of Tibetan Works and Archives, 1995, pp. 140-141. Phuntsok Tashi Takla was the interpreter for the Tibetan delegation who signed the Seventeen Point Agreement in 1951. After coming into exile Takla served the Tibetan Government-in-Exile for many years, holding various posts, among others the Minister of the Department of Security. He visited Tibet in 1979 as a member of the First Exploratory team to Tibet and then again in 1982 and 1984, he traveled to Beijing as a three member Tibetan delegation to hold exploratory talks on the future of Tibet. He visited Beijing for the third time in December 1986, after his official retirement to understand Beijing's thinking in resolving the Tibetan question.

170 Ibid.

171 After the Sino-Indian border war in 1962, the Indian government both openly and clandestinely adopted more supportive policy towards the Tibetans. India openly supported the UN resolution on Tibet in 1965, established a special Tibetan frontier force "Unit 22" to train young Tibetans within the Indian Army at Dehra Dun (the unit still exists and it has strength of about 10,000 Tibetan men and women), and different Indian states allocated land for the resettlement of Tibetan refugees.

172 Phuntsok Tashi Takla, wrote in his autobiography that in 1979 the Chinese People's Political Consultative Conference decided on a four-point policy to bring back the Dalai Lama to Tibet. The second point of the policy, as listed in his *An Account of Life's Events*, stated that the Soviets were trying their best to take the Dalai Lama under their influence and if succeeded it could pose a great danger to China. China, therefore, must work on the return of the Dalai Lama and should not close the door even if the Dalai Lama could not return immediately. The policy must prevent at any cost the Dalai Lama forming alliance with the Soviets.

173 The Dalai Lama's thoughts reflect that though Tibet was an independent nation prior to 1950, he accepts the reality of Chinese takeover which has made Tibet an integral part of China, and on that basis he is willing to negotiate with China on the future of Tibet.

Tibet had historically been an independent state prior to the Chinese takeover in 1950. This according to Beijing was a distortion of history and violation of the first precondition for negotiation which required the Tibetans' implicit acceptance of Tibet having always been a part of China. Chinese definition of "giving up the idea of independence" requires unconditional acceptance of Chinese sovereignty over Tibet not only in present but also in past and future, which meant that the Dalai Lama had to admit that Tibet was an "inalienable part of China" and had never been an independent state in the past. The Dalai Lama's constant references to Tibet's independence in past are seen as "a necessary part of his continuation plan of separatism".<sup>174</sup> Therefore, to continue dialogue with China he must completely relinquish the very notion of independence, both in terms of Tibet's history and her future. "On the question of such major importance to the future of the Chinese nation, there is no room for bargaining," says Sha Zhao.<sup>175</sup>

In contrast to the Chinese response, international community applauded the Dalai Lama for his diplomatic initiative and appreciated the important compromise he made as a significant and potential step towards resolution of the Tibetan issue. Many Tibetans in exile, however, felt dismayed and let down by the leadership for relinquishing Tibet's independence in exchange for a genuine autonomy within the framework of the PRC. This was the first time that the Dalai Lama's decision had triggered loud dissenting voices in the exile community. They felt that the proposal not only compromised one of the most important fundamental rights of the Tibetan people but also discarded the essence of the Tibetan political cause. The proposal generated a great deal of controversy among the exile community which created damaging divisions in the society. There were also accusations of foreign involvement in the decision making process.<sup>176</sup> The proposal which was aimed at

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174 Sha Zhou, 'What is It Behind The Dalai Lama's Plan?', *Beijing Review*, 19 February 1990, p. 22. The article criticised all the major points of the Dalai Lama's Washington and Strasbourg statements. The Dalai Lama's conception of a democratic government in Tibet is ridiculed by stating that "such a sentiment would be expected from a Western political figure but it is absurdity coming from a representative of feudal serfdom. By such sentiments, the Dalai Lama is attempting to sing the praise of the Western capitalist system and negate socialism". Zhou stated that the Dalai Lama's proposal attempts to transform China's internal affairs into a question between two countries and thus lays the groundwork for an attempt to separate Tibet from the rest of China. The Dalai Lama's proposal to turn Tibet into a peace zone is also rejected. *Ibid.*, pp. 21-23.

175 *Ibid.*, p.23.

176 The Strasbourg proposal was criticised by the younger generations of Tibetans in exile as too conciliatory filled with unwarranted concessions. Phuntsok Wangyal, a member of the second fact-

setting up a platform for negotiations ended up not only being rejected by China but was also disapproved by many Tibetans in exile. It received positive response only from the international community.

The Dalai Lama's conciliatory approach in resolving the Tibet issue resulted in the award of Nobel Peace Prize in 1989 and with that the Tibet issue gains a new wave of publicity. Tibetans everywhere considered this as a major victory and an indication of Western support for their cause. Contrarily the Chinese interpreted it as an attempt by the exiled Tibetans to internationalise the Tibetan issue. However, irrespective of Chinese protestation and prohibition, the "internationalisation" of Tibet issue was inevitable once Tibet was open to the outside world. The awarding of the Nobel Peace Prize to the Dalai Lama eased the international leaders' reluctance to meet with the Dalai Lama. In April 1991 the US President George Bush met with the Dalai Lama in Washington, thus becoming the first President in the history of the US to meet the exiled leader. Moreover, on that occasion Bush expressed the US's concerns over human rights problem in Tibet. According to Guangqiu<sup>177</sup> the meeting between the two leaders signified a shift in the administration's position since two years earlier the administration had refused to receive the Dalai Lama. Predictably, China criticised the meeting, accusing that it was "an act of gross interference in China's internal affairs".<sup>178</sup> After that historic meeting, the Dalai Lama gave an address to the Congress members in the Capitol Rotunda, where he spoke of Tibet as a "nation under foreign occupation" and called upon the US and other governments to link

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finding delegation to Tibet in 1980, 'Giving Up the Struggle', *Tibetan Review*, vol. 23, no. 9, September 1988, pp. 9-11; and Jamyang Norbu, 'In Deng's Grave New World, An Illusion Dies', *Tibetan Review*, vol. 24, no. 8, August 1989, pp.13-17 and *Illusion and Reality: Essay on the Tibetan and Chinese Political Scene from 1978 to 1989*, Dharamsala: Tibetan Youth Congress, 1989, p. 89. Both the authors maintain that the Strasbourg proposal was a "foreign inspired" scheme in which the former British Prime Minister Edward Heath, the British Parliamentarian Lord Ennals, former American President Jimmy Carter and Michael Van Walt Van Praag played prominent roles. Even now many young Tibetan exiles, despite their tremendous reverence for His Holiness the Dalai Lama could not reconcile themselves to the notion of living with the nation that had caused so much misery in their homeland. Tibetan youths see that nonviolence and compromise are not going to work with the Chinese government, and believe that the best course to pursue their goal is a conventional national struggle. The best example is, the Tibetan Youth Congress, which is the largest non-governmental political organisation that has 71 branch offices all over the world. The organisation was founded on October 1970 in Dharamsala, India. Its demand for complete independence has been consistent and though it has never resorted to violence as a means to achieve independence it has kept its option open.

177 Guangqiu Xu, 'The United States and the Tibet Issue', *Asian Survey*, vol. 37, no. 11, November 1997, p. 1071.

178 *Keesing's Record of World Events*, vol. 37, no. 5, 1991.

their foreign policy with China to human rights concerns. He expressed his exasperation and the misgiving of his people at the Capitol when he said, “It had been almost three years since the Strasbourg Proposal. In that time, many Tibetans have expressed profound misgivings over my stand for being too conciliatory. Beijing did respond: but the response was negative”.<sup>179</sup>

The Dalai Lama’s speech convinced the US Congress of China’s insincerity to negotiate with the Dalai Lama and prompted the US Congress to take sterner measures. The Senate resolution (S. Res. 107), which can be considered as one of the strongest resolutions on Tibet, repeated the opinion expressed by the International Commission of Jurists’ 1960, that “Tibet demonstrated from 1913 to 1950 the conditions of statehood as generally accepted under international law,” and resolved to stand with the Tibetan people and the Dalai Lama as they journey towards freedom and assured that “all Americans are united on the goals of freedom and human rights of Tibet”.<sup>180</sup> In October 1991, President Bush signed the Congress legislated bill which contained the most important legal pronouncement on Tibet. The Foreign Relations Authorisation Act for fiscal year 1992 and 1993 (Public Law 102-138 [H.R. 1415]) declares that:

1. Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu and Qinghai, as an occupied country under the established principles of the international law;
2. Tibet’s true representatives are the Dalai Lama and the Tibetan government-in-exile as recognised by the Tibetan people;
3. Tibet has maintained throughout its history a distinctive and sovereign national, cultural, and religious identity separate from that of China and, except during periods of illegal Chinese occupation, has maintained a separate and sovereign political and territorial identity;
4. Historical evidence of this separate identity may be found in Chinese archival documents and traditional dynastic histories, in the United States recognition of Tibetan neutrality during World War II, and in the fact that a number of countries including the United States, Mongolia, Bhutan, Sikkim, Nepal, India, Japan, Great

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179 ‘Address to the US Congress,’ A. A. Shiromany, ed., *The Political Philosophy of His Holiness the Dalai Lama: Selected Speeches and Writings*, New Delhi: Tibetan Parliamentary and Policy Research Centre and Friedrich Naumann-Stiftung, 1998, pp. 64-67.

180 ‘Senate Resolution 107, 18 April 1991’, in DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 100-101.

Britain, and Russia recognised Tibet as an independent nation or dealt with Tibet independently of any Chinese government involvement;

5. In 1949-1950, China launched an armed invasion of Tibet in contravention of international law;
6. It is the policy of the United States to oppose aggression and other illegal uses of force by one country against the sovereignty of another as a means of acquiring territory, and to condemn violations of international law, including the illegal occupation of one country by another; and
7. Numerous United States declarations since the Chinese invasion have recognised Tibet's rights to self-determination and the illegality of China's occupation of Tibet.<sup>181</sup>

Thus, while the US Congress and the State Department show similar concerns on the human rights abuses in Tibet, they differ considerably on Tibet's political issue. In contrast to the US Congress, the executive branch of the US government maintained its stand on the legitimacy of China's sovereignty over Tibet. At a hearing held on Tibet's political status by the Senate Foreign Relations Committee in July 1992, L. Desaix Anderson, the then Deputy Assistant Secretary of State for East Asian and Pacific Affairs, repeated the US position that "The United States, like all other governments throughout the world, considers Tibet to be a part of China, with the status of an autonomous region. No country recognises Tibet as independent of China. The United States has never taken the position that Tibet is an independent country, nor has it recognised the Dalai Lama as the leader of a Government-in-Exile".<sup>182</sup> In response to a question regarding the 1960 US position on Tibet's right to self-determination, Secretary Anderson said that "the question, though, at that time was a discussion of self-determination in the context of Tibet's being an autonomous region, but not the question of whether or not it was an independent country".<sup>183</sup> Whatever stand the State Department had on the Tibet question, their support for Tibet's human rights issue was obvious from annual human rights report published by the US State Department which cited China as responsible for "persistent abuses in

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181 'Foreign Relations Authorisation Act for Fiscal Years 1992 and 1993, Public Law 102-138 (H.R. 1415), 28 October 1991, in DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 165-168.

182 'US and Chinese Policies towards Occupied Tibet', Hearing before the Committee on Foreign Relations, United States Senate, 28 July 1992, US Government Printing Office, 1993, p. 5; 'US Continues To Consider Tibet Part of China', *Central News Agency*, Taiwan, 29 July 1992

183 Ibid., p. 8.



Tibet”<sup>184</sup> and the US Assistant Secretary of State Richard Schifter’s long speech at the 48<sup>th</sup> annual meeting of the UN Human Rights Commission (UNHCR) held in Geneva attacked China of its human rights issue. Beijing strongly condemned Richard Schifter’s speech stating that “hostile Western forces want to willfully interfere in China’s international affairs and incite a handful of separatists to split Tibet from China on the pretext of human rights”.<sup>185</sup>

Interestingly, the Dalai Lama’s meeting with the US President George Bush was followed by a succession of high profile meetings between the Dalai Lama and various international leaders including many Heads of States,<sup>186</sup> a number of them for the first time. Evidently, that important encounter created a new ambience for the international community to welcome and receive the Dalai Lama with less fear of incurring Beijing’s wrath. While in the previous year only seven world leaders had received the Dalai Lama, more than eighteen dignitaries met with him in the year President Bush received him. On December 2, 1991 British Prime Minister John Major met the Dalai Lama. As the Dalai Lama gains more visibility and international reputation through his extensive travel in the West, the question of Tibet began to get more attention and international support and develop a higher profile. On 23 August, that same year, the Tibet issue was brought up before the United Nations Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Sub-Commission for the first time, since the PRC’s admission in the UN, adopted a resolution entitled “Situation in Tibet”<sup>187</sup> which

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184 Ibid., p.8. The report mentioned that some 3,000 Tibetans were being held in prison for political offenses, although China claims much smaller numbers.

185 ‘Human Rights Defenders Fail to Win Support’, *Renmin Ribao* (People’s Daily), 6 March 1992.

186 In 1991, the Dalai Lama had met the following leaders of the foreign countries. March 22, Mrs. Mary Robinson, President, Republic of Ireland; April 16, Mr. George Bush, President, U.S.A; Aug 16, His Highness Hans Adam, Prince of Lichtenstein; Aug 19, Mr. Rene Felber, Foreign Minister, Switzerland; Aug 26, Mr. Ronald Dumas, Foreign Minister, France; Sept 2, Mr. Kurt Waldheim, President, Austria; Sept 2, Mr. Alois Mock, Foreign Minister, Austria; Sept 3, Mr. Franz Vranitzky, Chancellor, Austria; Sept 29, Mr. Vytautas Landsbergis, President, Lithuania; Sept 30, Mr. Gediminas Vagnorius, Prime Minister, Lithuania; Oct 1, Mr. Kazimieras Motieka, Vice President, Lithuania; Oct 2, Mr. Anatolijs Gorbunvos, President, Latvia; Oct 2, Mr. Andrejs Krastins, Vice-President, Latvia; Oct 4, Mr. Bronius Kuzmickas, Vice-President, Estonia; Oct 5, Mr. Zhelyn Zhelev, President, Bulgaria; Dec 2, Mr. John Major, Prime Minister, United Kingdom; Dec 4, Mrs. Margaretha af Ugglas, Foreign Minister, Sweden; Dec 5, Mr. Uffe Ellemann-Jensen, Foreign Minister, Denmark; Dec 8, Mr. Torvald Stoltenberg, Foreign Minister, Norway. Source from the official site of His Holiness the Dalai Lama by Office of Tibet in London. <http://www.tibet.com/DL/leaders.html>

187 ‘UN Sub-Commission on Prevention of Discrimination and Protection of Minority Rights, Resolution 1991/10, Geneva, 23 August 1991’, *International Resolutions and Recognitions on*

called upon the Chinese government to respect the fundamental human rights and freedoms of the Tibetan people. The resolution showed concerns over the continuing reports of violations of basic human rights which threaten the distinct cultural, religious and national identity of the Tibetan people. Since then Tibet's human rights issue began to appear occasionally, thus causing embarrassment for the PRC's government. However, the PRC rejected the accusations brought up against them in different UN Sub-commissions as distorted and fallacious. Since the Strasbourg Proposal failed to wield any positive response from the Chinese side and observing the rampant views and criticism against the proposal as too conciliatory in the Tibetan community the Dalai Lama, in his 10th March Statement 1991,<sup>188</sup> declared the proposal as ineffectual and announced that if China failed to respond positively he would be free of any obligation to the proposal. On 2 September 1991 the Chairman of Kashag announced the withdrawal of the Strasbourg Proposal. However, the Dalai Lama and his exile government retained the proposal's core principles of non-violence and negotiation to resolve the Tibet issue.<sup>189</sup>

The Dalai Lama and the Government-in-Exile did not give up their quest for negotiation. On 9 October 1991, in an address at the Yale University, the Dalai Lama appealed to the world for support in pressuring China to allow him to visit Tibet to personally assess the political situation. He said, "The Chinese government's refusal to reciprocate my efforts to start negotiation has increased the impatience of many Tibetans, especially young Tibetans in Tibet, with the nonviolent path we follow. Tension in my country is increasing as China encourages demographic aggression in Tibet, reducing Tibetans to a second class minority in our own country... I am extremely anxious that, in this explosive situation, violence may break out. I want to do what I can to prevent this... My visit would be a new opportunity to promote understanding and create a basis for a negotiated solution".<sup>190</sup> Later that year the Dalai Lama sought a meeting with the Chinese Prime minister Li Peng, when he was in India on a state visit. But both his proposals were rejected by the Chinese

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*Tibet: 1959-2004*, p. 7.

188 'March 10 Statement 1991', A. A. Shiromany, ed., *The Political Philosophy of His Holiness the XIV Dalai Lama: Selected Speeches and Writings*, p. 431.

189 Ibid., 'Appendix V, Withdrawal of Strasbourg Proposal', Kalon Gyalo Thondup's announcement on 2 September 1991.

190 'Address to the Yale University by His Holiness the Dalai Lama, 9 October 1991', *Dharamsala and Beijing: Initiatives and Correspondence 1981-1993*, pp. 55-60.

leadership who continued to feed the world and the exile government with the same official rhetoric first formulated by Deng Xiaoping in 1979. In June 1992, Ding Guangen, head of the United Front Work Department of the CCP Central Committee, through Gyalo Thondup restated the assurance that the Chinese government is willing to discuss and resolve any issue except total independence. He said that according to the Chinese government's view that the Dalai Lama has still not given up the notion of independence and that the Chinese government was interested to start negotiations as soon as the Dalai Lama gives up the independence of Tibet.<sup>191</sup>

The typical Chinese *modus operandi* for negotiation left the Tibetans in confusion as to what exactly the Chinese government wants and expects. The precondition that stipulates the eschewing of independence was formerly accepted by the Dalai Lama in his Strasbourg Proposal. Yet Beijing continues to disregard the proposal of 1988 as a valid basis for negotiation in resolving the Tibet problem and keeps on reinterpreting and changing their preconditions. Beijing authorities asserted that the proposal still contains the notion of Tibet's independence and hence the Dalai Lama should acknowledge that Tibet is an inalienable part of China. This, however, was unacceptable to the Dalai Lama as his acknowledgement would legally void Tibet's past history and its *de facto* status prior to the Chinese takeover in 1950 as claimed by the International Commission of Jurists in its report of 1960. Judging from the way China loves to place the Dalai Lama in difficult spots and impossible confines we can infer that if possible China hopes to legitimise their illegal occupation of Tibet by using the Dalai Lama's authority and popularity, if not then to remain rigid and inflexible in terms of negotiations. As we will see later the Chinese precondition took yet another form when US President Clinton raised the Tibet issue at a meeting with Jiang Zemin in China in 1998.

In a press statement in New Delhi, in September 1993, the Dalai Lama repeated his positions of the future Tibet. He said:

For the past fourteen years, since that position was first started, I have not only declared my willingness to enter into negotiations, but have also made a series

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191 Ibid., p. 63. 'Memorandum to Deng Xiaoping and Jiang Zemin from His Holiness the Dalai Lama, 1 September 1992.

of proposals which clearly lie within the framework for negotiation proposed by Mr. Deng Xiaoping. The ideas put forward during the discussions that my representatives had with Chinese officials in Beijing, and later made public in the Five Point Peace Plan for Tibet (1987) and the Strasbourg Proposal (1988), envisage a solution which does not ask for independence of Tibet. However, China had refused to enter into negotiations of any kind to seriously discuss any of those proposals or to constructively respond to them. Indeed, the Chinese Government has refused to discuss any question of substance, insisting that the only issue to be resolved is that pertaining to my personal return to Tibet, about which it has made a number of statements...

As I have stated again and again, my return is not the issue. The issue is the survival and the welfare of the six million Tibetan people and the preservation of our culture and civilization.<sup>192</sup>

A year later in his speech at the German Parliament and in his address at the European Parliament on October 23, 1996 the Dalai Lama said:

I have tried in every way I know to find some mutually acceptable solution in the spirit of reconciliation and compromise. However, it has now become clear that our efforts are not sufficient to bring the Chinese government to the negotiating table. This sad state of affairs compels me to appeal to your government and the international community for urgent intervention and action on behalf of my people.<sup>193</sup>

That same year in his address at the Tibet Support Group Conference in Bonn, 14 June 1996, the Dalai Lama reiterated that his immediate goal is to have a meaningful negotiation based on his “middle way approach,”<sup>194</sup> He clarified his reference on Tibet’s status prior to 1950 as not seeking independence. He said, “We should forget the past and look forward to creating a good and mutually accepted future,

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192 ‘Statement to the Press by His Holiness the Dalai Lama, New Delhi, 4 September 1993’, in *Dharamsala and Beijing: Initiatives and Correspondence 1981-1993*, 2<sup>nd</sup> ed., Dharamsala: DIIR, 1996, p. 79.

193 ‘Speech at German Parliament, June 19, 1995’, A. A. Shiromany, ed., *The Political Philosophy of His Holiness the XIV Dalai Lama: Collected Speeches and Writings*, p. 109. ‘Address at European Parliament’, Strasbourg, France, 23 October 1996, *Ibid.*, p. 138.

194 The Middle Way Approach is a policy authored by the Dalai Lama in which both parties can benefit by ensuring the exercise of full internal self-determination by the Tibetan people and maintaining at the same time the territorial integrity of the PRC. It is a visionary policy that can fulfill the needs of the Tibetan people while conforming with the interest of a more liberal China. This option thus meets the bottom lines of both parties.

unfortunately the Chinese government continuously insists that the Dalai Lama should make a categorical statement that Tibet has always been a part of China. How is that possible? I do feel that as a simple Buddhist monk, I cannot tell such a big lie”.<sup>195</sup>

In summer 1998, the Sino-Tibetan dialogue received a major thrust when President Clinton on his visit to China, took initiative to revive the dialogue between His Holiness the Dalai Lama and Beijing. At a press conference with President Jiang Zemin, Clinton raised the Tibet issue before a nation-wide television audience. Jiang replied, “As long as the Dalai Lama makes a public commitment that Tibet is an inalienable part of China, and Taiwan a province of China, the door to negotiation is open”.<sup>196</sup> In his autobiography the former US President recalled the event. He writes, “When I urged Jiang to meet with the Dalai Lama, he said the door was open if the Dalai Lama would first state that Tibet and Taiwan were part of China, and added that there were already “several channels of communication” with the leader of Tibetan Buddhism. I got a laugh from the Chinese audience when I said I thought that if Jiang and the Dalai Lama did meet, they would like each other very much”.<sup>197</sup> The precondition concerning Taiwan surfaced for the first time in the Sino-Tibetan dialogue, Beijing’s last resort to silence the Dalai Lama knowing that he would never make such proclamations. It is the third precondition that Beijing had laid to circumvent the international pressure and the exile government’s persistence. In the earlier Chinese preconditions it had been about the status of Tibet alone. The Exile Tibetan government responded vehemently by saying that the issue of Taiwan’s status is for the people of Taiwan and the PRC to resolve. In November the Dalai Lama traveled to the United States to make a statement in response to President Jiang Zemin’s precondition. On 11 November, subsequent to the meeting with President Clinton, the Dalai Lama told reporters that he was “willing to make commitments sought by China as a condition of renewing official negotiations over his Himalayan

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195 ‘The Dalai Lama’s Address at the Second International Tibet Support Group Conference in Germany’, A. A. Shiromany, ed., *The Political Philosophy of His Holiness the XIV Dalai Lama: Collected Speeches and Writings*, p. 109. ‘Address at European Parliament’, Strasbourg, France, 23 October 1996, p. 121.

196 Paljor Tsarong, ‘China-Tibet Dialogue: What should we expect?’, *Tibetan Review*, vol. 33, no. 11, November 1998, p. 12; *Süddeutsche Zeitung*, 17 July 1998.

197 Bill Clinton, *My Life*, New York: Knopf, 2004, p. 793.

homeland”.<sup>198</sup> However, the Dalai Lama’s choice of venue to make the announcement upset the Chinese as they pointed out that he went through the “wrong” procedure which “seriously hurts the (nationalistic) feelings of the (Han) Chinese people”.<sup>199</sup>

Since 1988, the Dalai Lama had made his intentions known that he wants to negotiate for a “genuine autonomy” under the leadership of the PRC. However, his lack of any bargaining power compels him to seek international support to facilitate a Sino-Tibetan dialogue. But PRC misconstrued all the international mediations as meddling in Chinese “internal affairs”. For the past seventeen years, the Dalai Lama has repeatedly said, “I do not seek independence” but China rejected all his initiatives accusing him of engaging in “splittist activities” and conspiring “Tibet’s independence”. This strategy of Beijing astounds not only the Dalai Lama but also the entire international community. In early December, the Dalai Lama publicly acknowledged that all channels of communication had broken down.<sup>200</sup> The Sino-Tibetan dialogue, after a decade of contacts still remains to be a continuing process, with no substantial outcome. It is true that the Chinese leaders have always shown eagerness to hold talks with the Dalai Lama but at the same time they have always insisted that the terms and conditions for such negotiation must be a Chinese dictated ones and not a compromised solution. What, therefore, lacks in the Sino-Tibetan dialogue is the balance of power of the two negotiating teams to resolve the conflicting issue. Though the Dalai Lama has gained much international fame and prestige for his non-violent struggles, the support that he has won is yet to be transformed into political and diplomatic force that can impact a major change in the Chinese policy towards the Tibet question.

After studying the documents of correspondence between the Dalai Lama and Beijing for several years, I came to the conclusion that the Chinese “open door to negotiation” has two ulterior motives: first to diffuse the international pressure and second to buy time until the Dalai Lama passes away which China hopes would lead to the extinguishment of the Tibetan cause. Beijing therefore does not seem interested

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198 International Herald Tribune, 12 November 1998, stated in Dawa Norbu, *China’s Tibet Policy*, p. 438, n. 63.

199 Ibid.

200 ‘Dalai Lama says informal China talks broken down’, *Reuters*, 9 December 1998.

in reaching a compromised solution to the Tibetan issue but for propaganda's sake they insist on calling for talks with the Dalai Lama. Chinese scholars and authors have urged their government to hold talks with the Dalai Lama as they perceive the exile leader as the key to the Tibetan problem. For example, Wang Lixiong, a prominent Han Chinese writer who has an intimate knowledge of Tibet through his extensive travel to the region and has met the Dalai Lama four times, writes that the Dalai Lama's Middle Way Policy is a sincere policy with no hidden agenda and urged the communist power holders in Beijing, especially those who delay the settlement of the Tibetan issue to reconsider. He further warned Beijing that treating the Dalai Lama as their enemy would put itself as an opponent of the western world, since the Dalai Lama is highly renowned in the international arena.<sup>201</sup>

In short I see the continuous modification of the preconditions by Beijing as ploy to dodge the international criticisms and wait for the Dalai Lama's demise. Moreover, the term "negotiation" carried a different connotation for Beijing which precluded a sincere compromise on both the parties. The Chinese version of the term negotiation as applied towards Tibet can be described as:

<b>The People's Republic of China</b>		<b>Dalai Lama</b>
1.	In 1979, Deng Xiaoping proposed to hold talks on any issue except for Tibet's independence.	The Dalai Lama responded by announcing the Strasbourg Proposal in which he relinquished Tibet's independence in exchange for a genuine autonomy under the leadership of the PRC.
2.	China viewed the Strasbourg proposal as containing independence in disguise and called on the Dalai Lama to acknowledge that Tibet is an inalienable part of the PRC.	The Dalai Lama answered that the history cannot be rewritten and therefore, both the parties should forget the past and work on the future to resolve the problem.
3.	In response to Clinton's initiative to revive the Sino-Tibetan dialogue, Jiang Zemin on a nation wide television responded by demanding that the Dalai Lama should proclaim that not only Tibet but Taiwan is a province of China.	The Dalai Lama answered that the Taiwan's status is for the people of Taiwan to decide. As for the Tibetans he remained steadfast that the future status of Tibet can be mutually discussed and seeks a solution acceptable to both the parties. However, he maintained that Tibet's past history cannot be changed as one wishes.

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201 Cited in Melvyn C. Goldstein, Dawei Sherap, and William R. Siebenschuh, *A Tibetan Revolutionary: The Political Life and Times of Bapa Phuntsok Wangye*, University of California Press, 2004, p. 316.

As China had expected, their last precondition had left the Tibetans and the Dalai Lama stunned and speechless. By throwing the ball in Tibet's court China once again succeeded in proving to the international community that they had responded to international initiatives. It is too early to say what the Sino-Tibet relation would entail since there are other international factors that influence this issue. It greatly depends on geopolitical structure of the world. Recent talks between the Special Envoys<sup>202</sup> of the Dalai Lama and officials from Beijing have been resumed after more than a decade of stalemate. If my readings of relevant documents are correct then it can be safely assumed that the breakthrough came due to European parliament's<sup>203</sup> warning that if the Chinese government did not negotiate with the exile Tibetan Government within three years, then the Parliament would "give serious consideration to the possibility of recognising the Tibetan Government in exile as the legitimate representative of the Tibetan people".<sup>204</sup> Despite four rounds of talks in three years since 2002 there are numerous issues that need to be ironed out before the two parties can sit down for real negotiations. There exist different views in the exile community about the ongoing talks, while some optimists see this as evidence that the issues are beginning to work between the two parties, many however see that China is once again playing for time and placate international opinion. Until now rigid boundaries set up by the two sides for negotiations seem to be mutually exclusive and until the

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202 Up until the time of writing of this paper the Envoys of the Dalai Lama, Mr. Lodi Gyari, the Special Envoy in America, and Mr. Kalsang Gyaltsen, the Envoy in Europe, have met with their Chinese counterparts for four times. The first round of talks was held in September 2002 and Mr. Gyari described it as having two purposes, viz. "to re-establish direct contact with the leadership in Beijing and to create a conducive atmosphere enabling direct, face-to-face meetings on a regular basis in future and to explain His Holiness the Dalai Lama's Middle Way Approach towards resolving the issue of Tibet". In the later trips they were accompanied by members of the Task Force, which was purposely set up to prepare for the talks. The fourth round of talks was held in Berne at the Embassy of China on June 30, 2005. The Envoy Kelsang Gyaltsen attributed lack of trust as the biggest obstacle and agreed that major differences on a number of issues, including on some fundamental ones, still exist. He further stated that despite the four round of talks there have been no positive changes inside Tibet which he described as "most disturbing and of great concern to us". He remains hopeful of the profound changes China is undergoing and the influence the policies of the governments of the free world can have in determining the future of Tibet and "whether the Tibetan people will be able to enjoy a life in freedom and dignity in future or not". Speech by Kelsang Gyaltsen at the Fourth World Parliamentarian Convention on Tibet, Edinburgh, November 18-19, 2005. The statements by the Envoys can be viewed at: <http://www.tibet.net/en/diir/sino/sstd/envoystat.html#7>

203 'European Parliament, Strasbourg, 6 July 2000,' DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, p. 71-73.

204 Ibid.



two parties extend the parameters and minimize critical issues of disagreement they would be always in the “prenegotiation stage”.<sup>205</sup>

Crucial factors that are absent in the Sino-Tibetan dialogue in resolving the issue are balance of power, flexibility in terms of compromising fundamental preconditions, trust and confidence between the two parties. Another factor which could play a major role in facilitating the dialogue process is a strong, comprehensive and substantive united international support for resolution of Tibet question. Until now Western supports for Tibet have been centered primarily on human rights issues, which although have resulted in early release of many Tibetan political prisoners nevertheless pushed Tibet’s political issue to the background of international dealings with China. If concerted efforts have been made to support political issue to a same degree as that of human rights issues, then international support can and will help in creating a genuine negotiation between the two parties. The Dalai Lama’s Envoy in Europe, Mr. Kelsang Gyaltsen, in his speech to the Fourth World Parliamentarian Convention on Tibet, held in Edinburgh on November 18 - 19, 2005, says:

“There is no doubt in our mind that the strong international concern for Tibet has been one of the major factors for the Chinese leaders for agreeing to our visits. It is, therefore, necessary that the international community continues to remain engaged with the Chinese government on the issue of Tibet. It is of great importance to continue to demonstrate strong interest in the progress of the ongoing process and to continue to encourage and urge the Chinese leadership to enter into earnest negotiations to peacefully resolve the issue of Tibet”.<sup>206</sup>

Therefore, in order to bring radical policy changes towards Tibet, Western nations have to elevate their support level from humanitarian to political and diplomatic level. An ambiguous support for Tibet could be misinterpreted both by Tibetans inside Tibet who might view it with great expectation that could lead to open demonstrations and

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205 Dawa Norbu, ‘China’s Dialogue with the Dalai Lama 1978-90: Prenegotiation Stage or Dead End?’ *Pacific Affairs*, vol. 64, no. 3, Autumn 1991, p. 372.

206 Address of Kelsang Gyaltsen, Envoy of His Holiness the Dalai Lama, at the Fourth World Parliamentarians’ Convention on Tibet, Edinburgh, 19 November 2005. Statement available at: <http://www.tibet.net/en/diir/sino/sstd/envoystat.html#7>.

by Beijing Government, as destabilising factor that could lead to intensification of policy of oppression as preemptive measures against such peaceful demonstrations.<sup>207</sup>

#### **2.4.2 China's New Tibet Policy: From Reforms to Economic Integration**

In March-April 1980, the First Work Forum on Tibet was convened by the Chinese government. The forum conceded that their efforts to improve Tibetans' living standard had not materialised and lamented the party's failure to have misused the capital investments, disregarding the local conditions and the availability of supplies which led to unsatisfactory results and heavy losses.<sup>208</sup> Self-criticisms were made by the Party officials who highlighted the past mistakes in implementing various projects thus leaving many areas in Tibet extremely poor.<sup>209</sup> The Forum also identified the leftist influence<sup>210</sup> as the main cause of failure and urgency of the integration and development of Tibet's economy. In order to foster rapid development in the region the Central government decided to inject more capital. Additionally, the forum acknowledged the need for improving the relationship between the nationalities stressing that "if we do not seize the moment and immediately improve the relationship between the nationalities [Chinese/Tibetan] we will make a serious mistake".<sup>211</sup> Later in May 1980, a group of Chinese dignitaries led by the Party Secretary Hu Yaobang visited Tibet.<sup>212</sup> At a conference held on 29 May, attended by 5000 cadres in Lhasa, Hu, speaking for 170 minutes, criticised the Party's failure and proposed six ways to remedy the economy of Tibet.<sup>213</sup>

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207 The Western support for Tibet question since the mid 1980s coincided with the hardening Chinese policy towards Tibet.

208 Weihai Li, 'The Road to Liberation of the Tibetan Nationality-Commemorating the 30<sup>th</sup> Anniversary of the Signing of the Agreement on Measures for the Peaceful Liberation of Xizang', *Radio Beijing*, 24 May, 1981, translated in *FBIS OW241709*, 27 May 1981.

209 Ibid.; Other Chinese leaders are said to have accused the mechanical implementation of the policies that forced the planting of wheat, the setting of unreasonably high targets for production and state purchases that resulted in people having difficulty in their living.

210 The Central Committee of the CCP agreed to remove Ren Rong, the then Party Secretary of the TAR and decided to replace him by Yin Fatang.

211 A. Tom Grunfeld, *The Making of Modern Tibet*, NY: M. E. Sharpe, Inc. 1996, p. 224.

212 The group consisted of Hu Yaobang, the General Secretary of the Central Committee and a member of the Standing Committee; Wan Li, member of the Central Committee and Vice-Premier of the State Council; Ngapo Ngawang Jigme, the Vice-Chairman of the National People's Congress; Yang Jingren, a member of the Central Committee and the Head of the State Commission of Nationalities Affairs, and Zhao Zhengqing, Vice-Minister of the Organisation Department of the PCC. Cited in Wang Yao, 'Hu Yaobang's Visit to Tibet, May 22-23, 1980', *Resistance and Reform in Tibet*, ed. Robert Barnett & Shirin Akiner, 1994, p. 285-286.

213 Wang Yao, 'Hu Yaobang's Visit to Tibet, May 22-23, 1980', *Resistance and Reform in Tibet*, ed. Robert Barnett & Shirin Akiner, 1994, pp. 287-288.

However, even with the influx of capital from the government many of the development projects failed to produce expected results.<sup>214</sup> The authoritative *Beijing Review* while blaming the remnants of ‘Leftism’ and three years of bad weather for the stunted growth of Tibet’s economy acknowledged that the living standards of the Tibetans had not shown any kind of improvement.<sup>215</sup> Chinese officials had reported the shortages in agricultural output in Tibet. *Renmin Ribao* in a candid report described that “no marked improvement had been brought about in the Tibetan people’s livelihood”. Yin Fatang, head of the CCP in Tibet, had been quoted as exclaiming that “the greatest reality in Xizang was its poverty”.<sup>216</sup> This was in spite of the slight increase in grain output and some additional growth in per capita output. Recognising the political importance of the economic growth in Tibet as a tool of maintaining social stability and to win more adherents to the idea that Tibet is better off remaining a part of China, the Second Work Forum was held in February 1984, targeting economic development in Tibet as its primary goal. To support their policy Beijing poured huge amount of money despite bleak economic return and soon the subsidies provided by Beijing government reached 1 billion Yuan a year. This economic strategy was intimately connected to the political situation of Tibet and China’s fight against what they call the “splittist groups”.<sup>217</sup>

The Forum decided to undertake 43 large construction projects including building up of communication networks, road system and power stations in the TAR to build up the infrastructure of the region. At a total cost of 470 million Yuan, to be borne by the Central government and other interior provinces, the projects were to enhance the economic development plans. Despite warnings from their own microeconomists, Wang and Bai in *Poverty of Plenty*, in investing so much in Tibet the Chinese government was willing to take the risk which they deemed as necessary.<sup>218</sup> The projects were scheduled to be completed for the 20th anniversary of the founding of the TAR. Some 60,000 workers were sent to undertake these projects which boosted

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214 Xiaoqiang Wang & Nanfeng Bai, *Poverty of Plenty*, New York: St Martin’s Press, 1991, p. 144.

215 An Zhiguo, ‘Tibet: New Policies Bring Changes,’ *Beijing Review* vol. 27, no. 42, 15 October 1984, pp. 4-5.

216 A. Tom Grunfeld, *The Making of Modern Tibet*, 1996, p. 177.

217 Communist Party Politburo member Li Ruihan, chairing a meeting in Beijing on 16 April 1997 on accelerated economic growth in the TAR. *Xinhua News Agency*, ‘Tibet Meeting Held with Aim of Forging Interwoven Economies’, 16 April 1997, translated in BBC SWB/2897 SI/1-2, 19 April 1997.

218 ICJ, *Tibet: Human Rights and the Rule of Law*, p. 145.

further Chinese immigration into Tibet.<sup>219</sup> Not only experts as China claims but also unskilled Chinese workers were brought to Tibet creating a lot of resentment among the local Tibetans. This sentiment was reflected by Dorje Tsetan, one of the Tibetan Deputy Party Secretaries, at a meeting in Beijing when he protested that the new Chinese immigrants would create a new challenge for the local Tibetans and exacerbate social tensions in the region.<sup>220</sup> The late Panchen Lama is also said to have shown similar concerns when he complained in a statement to the Tibet Standing Committee of the National People's Congress in 1987, that "the expense of keeping one Chinese in Tibet is equal to that of four in China. Why should Tibet spend its money to feed them?"<sup>221</sup>

In July 1994, the Third Work Forum on Tibet was convened in Beijing, which was attended by China's top leaders.<sup>222</sup> The Forum was specifically held with the purpose of legitimising and prioritising the wide scale economic development works and projects in Tibet. The Forum declared that the high-speed development plans were drawn as measures for uplifting the backward economy of the indigenous people. Assimilating Tibet's backward economy with China's rapidly growing industries and bringing fast-paced growth deep into the hinterland of Tibet were cited as primary goals. On the contrary, the Tibetans felt that China was only interested in the rich mineral deposits of Tibet. Despite the government's announcement that foreign investments were welcomed the fact remained that only overseas Chinese and mainlanders could invest in the projects launched in Tibet. The implementation of the policies endorsed by the Central government received criticism when the *Tibet Daily* published accusations from the Tibetan cadres who emphasised that the policies were not moderated in line with the region's special needs and characteristics. The policies were framed in ideological terms that excluded positive involvement for Tibetans in

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219 Tseten Wangchuk Sharlho, 'China's Reforms in Tibet: Issues and Dilemma,' *The Journal of Contemporary China*, vol. 1, no. 1, 1992, p. 50. Sharlho enumerated the number of the Chinese workers from different regions as 28,650 from Sichuan, 4,410 from Gansu, 4,380 from Qinghai, 3,870 from Zhejiang, 2,470 from Anhui, 1,290 from Shanxi, 1,870 from Hunan, 1,860 from Ningxia, 1,850 from Jiangsu, 1,670 from Fujian, 1,540 from Henan, 8,10 from Hebei, 720 from Hubei, 663 from Shandong and 750 from other provinces or cities; *New Majority: Chinese Population Transfer into Tibet*, London: Tibet Support Groups-UK, 1995, p. 97.

220 Collection of Hu Yaobang's speeches entitled, '*blo-mthun Hu'u ya 'o pang gis bod-ljongs kyi las-dun skor gyi bzhungs-mol tshogs-'du 'i thog gnag-ba' a gsung-bshad*', stated in Tsering Shakya's *The Dragon in The Land of Snows*, p. 395, n. 3.

221 Pierre-Antoine Donnet, *Tibet: Survival in Question*, Delhi: Oxford University Press, 1990, p.98.

222 The conference was attended by Chinese and Tibetan cadres and China's top leaders, including Jiang Zemin and Li Peng.

the economy.<sup>223</sup> Other policies approved by the Forum includes curtailing of religious activity, launching highly aggressive campaign against the Dalai Lama, uncovering Tibetan cadres and officials suspected of concealing nationalist feelings, providing ideological education.

The forum was purposely held to legitimise the implementation of the policies. In a document circulated among the CCP cadres entitled *A Golden Bridge Leading into a New Era*,<sup>224</sup> the party revealed that the CCP was no longer seriously interested in holding dialogue with the Dalai Lama or his return to China. The conference decided to make economic integration of Tibet their top priority in solving Tibet's problems thereby announcing 62 major projects in Tibet. These projects were concentrated mainly on energy transportation, telecommunication networks, and agriculture and water conservation. The projects were to cost 2.38 billion Yuan, from which 75% was to be contributed by the Central government and the remaining by provinces and municipalities. Provincial firms were shown green light by the Central government to import their own workers or hire Chinese already in Tibet to enhance the projects. The Third Forum also contained allegations of the PRC that Western governments, especially the United States, were sources of pro-independence movement in Tibet. A statement on the strategic context of decisions released by the Third Forum says, "Since the ending of the cold war, the west, led by America, is continuously bringing forth the 'Tibet issue' as their best weapon to 'Westernise China' and to 'split' China".<sup>225</sup> The conference in its strategic context reaffirmed:

We should intensify opening up to various provinces, municipalities, and regions; encourage and support economic entities and individuals in the hinterland to set up enterprises of all kinds in Tibet; earnestly expand

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223 'On the Regional Characteristics of Party Construction in Tibet', *Tibet Daily*, stated in Tibet Information Network (TIN) & Human Rights Watch/Asia, *Cutting off the Serpent's Head: Tightening Control in Tibet, 1994-1995*, New York: Human Rights Watch, 1996, p. 20.

224 The Propaganda Committee of the TAR Communist Party (Tibetan People's Publishing House, 1 October, 1994) published this document containing the decisions of the Third Work Forum that could be made known publicly. This document consists of ninety-six pages with Section 12 which deals with nationality and religious policies and Section 13 with autonomy. TIN & Human Rights Watch/Asia, *Cutting off the Serpent's Head: Tightening Control in Tibet, 1994-1995*, p. 17.

225 The section 12 and 13 of *A Golden Bridge Leading Into a New Era* was reprinted in *Tibet Daily*, on 25 November, 1994. On page 3 of its introductory section entitled, 'Understanding the Importance of Work in Tibet from a High Standard All-round Strategy Point of View', the remark about the Western involvement appeared. TIN & Human Rights Watch/Asia, *Cutting off the Serpent's Head: Tightening Control in Tibet, 1994-1995*, p. 17.

economic cooperation and exchanges with the interior with preferential policies and abundant resources; and establish close organic ties between Tibet's and China's economies...We should take effective steps to maintain the current ranks of Han cadres and transfer Han and other minority cadres from the hinterland into Tibet... We should introduce special allowances, increase cadres' salaries and fringe benefits, and help cadres who come to Tibet solve such problems as housing and schooling and employment for their dependants.<sup>226</sup>

The Third Work Forum on Tibet advocated economic development and importation of Han Chinese into Tibet as solutions to the Tibet problem. Workers from different provinces were encouraged to go to Tibet to work on various projects and were provided incentives by the Central government to settle in Tibet. Increase in influx of Chinese immigrants has become a serious threat to the Tibetan identity.<sup>227</sup> Since the turmoil in Lhasa convinced the Central government that their lenient policy could encourage the Tibetans to exercise their rights in demanding independence and expressing their nationalistic sentiments, the forum decided to implement even more rigid policies. Such restrictions imposed upon the Tibetans made the word autonomy inapplicable to the Tibetans.

Although the CCP has not changed their verbal assurances of stating that they are officially open to a return of the Dalai Lama when he abandons the advocacy of independence they are in fact fortifying their position with the on going population transfer policy and the economic integration of Tibet. This policy of flooding Tibet with Han Chinese and integrating Tibet's economy was further vitalized by four Mega projects proposed in the Tenth Five-Year Plan (2001-2005).<sup>228</sup> The Chinese name for Tibet is Xizang which literally means Western Treasure House and it reflects China's hope and greed for the vast natural resources of Tibet. According to reports of the Environment and Development Desk of DIIR and the Research and Analysis Centre of the CTA, more than 126 minerals were found in Tibet and significant deposits of

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226 'Tibet to implement Work Forum Guideline', *Lhasa Xizang Ribao*, 2 August 1994, translated in *FBIS-CHI-94-159*, 17 August 1994, p. 53.

227 Graham E. Clarke, 'The Movement of Population to the West of China: Tibet and Qinghai', in Judith M. Brown and Rosemary Foot, eds., *Migration: The Asian Experience*, London: MacMillan Press, 1994.

228 China introduced the Five Year Plan in 1953, influenced by the Russian engineers and the success of Stalin's Five Year plan. Its primary aim was to uplift China's economic and industrial growth. So far, there have been ten such Five Year Plans. The most recent one was launched in 2001.

uranium, chromite, boron, lithium, boras and iron are found in various parts of Tibet. Reserves of oil and natural gas, gold and silver, copper and zinc are found on the high plateau. Large concentrations of resources are located throughout Tibet's traditional provinces including Tsaidam Basin, Nagchu, Golok, Chamdo, Chang Thang, Kardze and Hookah.<sup>229</sup>

The exploitation of Tibet's mineral resources commenced in the mid-1950s<sup>230</sup> but the huge drive for economic reforms in the 1980s and 1990s expanded it exponentially. In its Tenth Five-Year Plan (2001-2005)<sup>231</sup> Beijing has selected four key projects to speed up the Western Development Plans. The key projects will become instrumental in expediting and intensifying the exploitation of the natural resources as within China domestic demands for raw materials have taken huge leaps. The four projects as we will see are directly or indirectly connected to Tibet. As China faces growing shortages in the domestic supply of raw materials, Tibet's rich mineral resources are of paramount importance. The central authorities remain firmly committed to developing the mineral resources of Tibet to support national development and industrialisation. According to the plan, the need to intensify exploitation of natural resources to meet domestic demand is of particular urgency, as is the need to "forge ahead aggressively" with the development of the western regions. The four key projects, West to East Gas Transfer, West to East Power Transfer, South to North Water Diversion and Qinghai-Tibet Railway Project, will be described in greater detail in the following section.

#### **2.4.2.1 West to East Gas Transfer**

Over the recent decades China's dynamic economy has grown exponentially and so did the demand for China's energy supply. The fact that Daqing, the largest source of China's crude oil since 1960,<sup>232</sup> has reached a stagnation phase in the late 1970s<sup>233</sup>

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229 *Tibet 2000: Environment and Development Issues*, Environment and Development Desk of DIIR, 2000; *Tibet-A Land of Snows: Rich in Precious Stones and Mineral Resources*, Research and Analysis Centre, Department of Security, Central Tibetan Administration in Exile (CTA), 1991.

230 D. Namgyal, 1995, Director of the Tibet Mining Bureau, Geological prospecting and mining in Tibet. *China's Tibet* No.5, Beijing, cited in *Tibet 2000: Environment and Development Issues*, p. 86.

231 China introduced the Five Year Plan in 1953, influenced by the Russian engineers and the success of Stalin's Five Year plan. Its primary aim was to uplift China's economic and industrial growth. So far, there have been ten such Five Year Plans. The most recent one was launched in 2001.

232 Daqing, located in the Songliao basin of Heilongjiang, was discovered in 1960. It has reached its

and that no other oilfields have surpassed Daqing's rate of output,<sup>234</sup> necessitates China to search for a new source in order to maintain their "self reliance". The other main oilfields are Shengli (in Shandong province), discovered in 1962, Renqiu (in Central Hebei), in 1975, and Liaohe (in Liaoning), in 1967. However the combined output of the three oilfields had not exceeded the Daqing's peak output.<sup>235</sup> According to the world geologists there are a host of problems that have hindered the rapid development of China's petroleum industry. China's excessive extraction of oil, adopting Soviet's method and lack of sophisticated technology limited the increase in Daqing's production. Furthermore complicated geological structures in Shengli and Dagang (the sixth largest oilfield in Mainland China) had hampered the production. And finally the "wastefulness of the whole extraction-transportation-processing-conversion set-up" aggravated the inadequacies of onshore production.<sup>236</sup>

As the onshore oil production began to decline, China placed its hopes on offshore reserves to meet the rising domestic demand for oil supply. China National Offshore Oil Corporation (CNOOC), in conjunction with foreign oil companies, started oil exploration in the Bohai Gulf near Tianjin in 1970s and in the South China Sea near Canton in the late 1970s. Exploration in the Bohai Gulf, which contained an estimated reserve of 1.5 billion barrels, led to the discovery of two productive oilfields; Haisi and Chengbai oilfields. Despite joint ventures with foreign oil companies such as the Japan National Oil Corporation (JNOC) and the Societe' Nationale Elf Aquitaine of France the oil production remained relatively small in the Bohai Gulf.<sup>237</sup> The crude production from the South China Sea was estimated to peak at about 100,000 b/d, a respectable output but far short of initial hopes.<sup>238</sup> Despite occasional significant discoveries and large scale international involvement, numerous difficulties impeded

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peak production in 1976 when the output exceeded 50 million tons per year, accounting for half of the nation's total. However, due to excessive oil extraction coupled with extensive use of the Soviet's method of injecting water into the wells in order to flush more oil had led to the production of predominantly watery fluid. In 1980, more water was pumped out from Daqing's reservoirs than oil. Geologists predicted that Daqing's output would further decline. Cheng, Chu-Yuan, *The Demand and Supply of Primary Energy in Mainland China*, Taipei, Taiwan: Chung-Hua Institution for Economic Research, 1984, pp. 72-73.

233 Ibid., p. 73.

234 Vaclav Smil, *Energy in China's Modernization: Advances and Limitations*, Armonk, N.Y.: An East Gate Book, M. E. Sharpe, Inc. 1998, p. 96.

235 Ibid., p. 103.

236 Ibid., p. 103.

237 Cheng Chu-Yuan, *The Demand and Supply of Primary Energy in Mainland China*, p. 78.

238 Haijiang Henry Wang, *China's Oil Industry and Market*, New York: Elsevier Science Ltd, 1999, p. 94.



the exploration and development of offshore oil reserves.

In its quest for new oilfields to overcome their domestic shortages China once again turned to its western regions. Karamay and Tarim basin in Xinjiang (East Turkestan, Ch: Xinjiang Autonomous Region) and Tsaidam basin in Qinghai<sup>239</sup> (Tib: Amdo, Northeastern Tibet, Ch: Qinghai Province), which were known to China since the mid 1950s for their oil reserves, became the prime targets of China's Tenth Five Year Plan (2001-2005). The history of the oilfields started several decades ago when the Karamay and Tsaidam were discovered in the 1950s, and Tarim in 1970s. Experts believed that the three oilfields contain huge amount of reserves and would help China reduce its reliance on imported oil. According to Soviet and Chinese geologists, Karamay contained approximately 60 percent of Mainland China's oil reserves<sup>240</sup> and Tsaidam was once believed by the Chinese geologists as the most promising oilfield.<sup>241</sup> However the geographical location of the basins, shortage of water to inject into the wells, difficulty in transportation and lack of interest from the foreign investors prompted China to give more preference to the eastern and offshore oilfields over these Basins. Although China is still one of the leading oil producers in the world, its increasing consumption and the eastern oilfields' diminishing returns made China rely more heavily on imported oil. In 1999, China had imported 36.6 million tons of oil and more than 70.2 million tons in 2000, which shows the dramatic increase of Chinese demand for oil.<sup>242</sup>

China is now the second largest consumer of oil in the world. The International Energy Agency's statistics show that China's oil imports will further escalate in the years to come exceeding 400 million tons in 2020, with the potential to rise further.<sup>243</sup> Yet China's oil production is estimated at only 160 million to 170 million tons a

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239 It is the place where the fourteenth Dalai Lama was born. The region is divided amongst the Chinese province of Qinghai, Gansu and Sichuan.

240 Cheng, Chu-Yuan, *The Demand and Supply of Primary Energy in Mainland China*, p. 75.

241 Ibid., p. 76.

242 Zha Daojong, 'China's Energy Security and Its International Relations', *The China and Eurasia Forum Quarterly*, Vol. 3, Central Asia-Caucasus & Silk Road Studies Program, November 2005.

243 International Energy Agency (IEA), *China's Worldwide Quest for Energy Security*, IEA, Organisation for Economic Co-operation and Development, 2000; Tsetan Dolkar Khyunglho, 'China Targets its Western Regions to Help Cover its Oil Deficiencies', *Trin-Gyi-Pho-Nya: Tibet's Environment & Development Digest*, vol. 4, no. 4, 15 September 2006. Trin-Gyi-Pho-Nya ("Message in the Clouds") is an undertaking of Tibet Justice Center's Environment and Development Program to collect, archive and propagate news on Tibet's environment and developmental projects related to the environment.

year,<sup>244</sup> which poses a new challenge to China in the 21<sup>st</sup> century. To seek new oil resources as a replacement and to minimize its reliance on imported oil, China's current development projects target the western regions.<sup>245</sup> Therefore in its Tenth Five Year Plan, Beijing places a high priority on the development of oilfields in the Tarim Basin in Southern Xinjiang, the Tsaidam Basin in Northeastern Tibet, and Ordos Basin in Inner Mongolia. The "West to East Gas Transfer" focuses on the construction of pipelines that takes natural gas from Xinjiang to Shanghai City<sup>246</sup> and Sebei in the Tsaidam Basin to Lanzhou, capital of Gansu Province.<sup>247</sup>

The construction of Sebei-Xining-Lanzhou gas transmission pipeline, a key project of the West-East Gas Transfer, began on 30 March 2000. The 953 kilometres pipeline which cost 302 million U.S. dollars starts from the Sebei gas field in Tsaidam Basin in Qinghai Province and runs through the provincial capital of Xining and ends at Lanzhou in Gansu Province. The pipeline is designed to transport 2 billion cubic metres of oil annually.<sup>248</sup> On July 4, 2002 China kicked off another multibillion dollar natural gas transmission project designed to supply billions of cubic metres of gas each year to the country's east from the northwest regions. The 4,200-kilometre pipeline starts from Lunnan oilfield in Southern Xinjiang Uighur Autonomous Region in Northwestern China and runs through the provinces of Gansu, Shaanxi, Shanxi, Henan, Anhui, Jiangsu and the Ningxia Hui Autonomous Region, and ends at Shanghai and Zhejiang province<sup>249</sup>. The inhabitants of both the places resent these mega projects claiming that it benefits only China and would have serious negative impact on the local ecology. In a press statement released by the Department of Information and International Relations, T. C. Tethong, the then minister of DIIR,

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244 'China's reliance on imported oil grows', *People's Daily*, 1 November 2004.

245 "Li Ping zongli tan zhongguo shiyou gongye de fazhan" (Premier Li Peng talks about the development of China's oil industry), *Liaowang* (Outlook), no. 41, 13 October, 1997, quoted in John Wong and Wong Chee Kong, *China's New Oil Development Strategy Taking Shape*, Singapore: Singapore University Press, East Asian Institute, Occasional Paper no. 7, 1998, p. 23. According to the Author, Li Ping is said to have made the same comment and that China's hope lie in the western region.

246 'Construction of Gas Pipeline in Northwest China', *People's Daily*, 1 April, 2000; 'China Launches Project to Pipe Gas from West to East', *World Tibet Network News (WTN)*, 20 June 2000; 'Massive Pipeline project underway in China', *Asia Times*, 6 July 2002.

247 'Construction of Gas Pipeline in Northwest China', *People's Daily*, 1 April 2000; Peter de Wit, 'China & Tibet: A big pipeline raises Tibetan & human rights concerns', cited in *Riding the Dragon: Royal Dutch Shell & the Fossil Fire*, ed., Jack Doyle, Boston, Mass: Environmental Health Fund, May 2002, pp. 225-232.

248 'Construction of Gas Pipeline in Northwest China', *People's Daily*, 1 April 2000.

249 'Massive Pipeline project underway in China', *Asia Times*, 6 July 2002.

called on the major foreign investors to stop financing the projects which represented China's exploitation of oil and gas on the Tibetan plateau. According to him this multimillion dollar project would despoil Tibet's natural resources. He added anxiously that the projects which had little or no benefits to the local Tibetans would further lead to the acceleration of China's population transfer into Tibet.<sup>250</sup>

Similar opposition was voiced by Enver Can, the President of the East Turkistan National Congress based in Germany. In an open letter to the Shell director, he called the "Western Development Plan" as Chinese consolidation of their control over the region. In a harder stance he called that the projects would have severe and negative consequences on local Uighurs. He said that projects posed a significant threat to their culture and environment.<sup>251</sup> Even in a written statement submitted by the International League for Human Rights (a non-governmental organisation in special consultative status) the projects were condemned as facilitators of long standing policy of exploiting natural resources and are environmentally destructive in nature. The statement warned that the projects would have grave repercussions to both ethnic nationalities. It says, "Nevertheless, the construction of this pipeline raises grave concerns about the importation of Chinese labourers to work on the pipeline, long-term environmental degradation, and lack of compensation to Tibetans and Uighurs for their land, and long-term economic control over the region".<sup>252</sup>

The construction of the Sebei-Lanzhou gas pipeline was carried by PetroChina (a subsidiary of state-run Chinese National Petroleum Corporation) with foreign investments from major international oil companies including Shell, ExxonMobil, BP Amoco, Enron and Agip. PetroChina has invested 100 million Yuan in the construction of the project.<sup>253</sup> *China Business Weekly* quoted John Ambler as saying, "Enron has worked closely with PetroChina in developing a 950 km gas pipeline to

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250 T.C. Tethong, 'Tibetan Government-in-Exile's Statement of Opposition on Sebei-Lanzhou Pipeline and Increased Oil & Gas Exploration on the Tibetan Plateau', *WTN*, 25 September 2000.

251 'East-Turkistan: Open Letter of Enver Can To The Shell Director', [http://www.radicalparty.org/eastturkestan/lett\\_enver\\_shell\\_11052002.htm](http://www.radicalparty.org/eastturkestan/lett_enver_shell_11052002.htm).

252 A written statement to the Commission on Human Rights, Sub-Commission on Promotion and Protection of Human Rights, Fifty-fourth Session by the International League for Human Rights, E/CN.4/Sub.2/2002/NGO/6, [http://www.unhchr.ch/huridocda/huridoca.nsf/2ac1837502e4ef90c12565df00301e3c/3551b317ab4ad713c12565ed00363e45?OpenDocument&SearchWV="TRUE"&StartKey=E/CN.4/Sub.2/2002/NGO/6](http://www.unhchr.ch/huridocda/huridoca.nsf/2ac1837502e4ef90c12565df00301e3c/3551b317ab4ad713c12565ed00363e45?OpenDocument&SearchWV=).

253 'Key Gas Project in Western China Begins Operation', *People's Daily*, 13 December 2001.

transport gas from Qaidam Basin (Tsaidam Basin in Tibet) of Qinghai to its capital Xining and to Lanzhou”.<sup>254</sup> The Tibetan Government-in-Exile and the Uighur organisations accused those major foreign investors for supporting projects that were detrimental to the local people and the local ecology. The volley of accusations from the Tibetan Government-in-Exile and the Uighur organisations were taken up by international support groups which resulted in BP’s withdrawal in September 2001.<sup>255</sup> This victory for the Tibetans and their support groups did not last long as Agip signed a contract with China National Petroleum Corporation to become an operator of the gas and oil in the Sebei Block of the Tsaidam Basin.<sup>256</sup>

The Sebei to Lanzhou pipeline, estimated to cost US\$ 302 million, is one of the first major western corporate investments in occupied Tibet and like other extraction projects in contested areas, no environmental impact studies or community consultations were conducted by the Chinese government. The Tsaidam Basin has up to 1997, produced 14 million tons of crude oil and more than seven million tons of refined oil.<sup>257</sup> In 1997 the production of oil and gas was 1.5 million tons of oil and gas a year, and is scheduled to reach 10 million tons a year in 2005.<sup>258</sup> In Chang Thang, Chinese geologists are reported to have discovered oil in Lhunpula Basin, 300 kilometres Northwest of Nagchu in Northern Tibet. At an altitude of 4,700 metres above the sea level this oilfield is dubbed as “the world’s highest oilfield” by China’s state news agency. The basin is stated to have deposits of 150 million tons of oil and gas.<sup>259</sup> China National Star Petroleum plans to build at least one field with an annual capacity of 50,000 metric tons in the basin.<sup>260</sup> Many Chinese scientists predict that the

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254 *China Business Weekly*, 23 April 2000.

255 ‘Gas Pipeline Project Delayed’, *China Daily*, 10 October 2001,

<http://www.china.org.cn/english/features/Gas-Pipeline/37590.htm> ; CNN’s Alex Frew McMillan, ‘Now or never for China pipeline’, 10 September 2001,

<http://edition.cnn.com/2001/BUSINESS/asia/09/10/hongkong.pipeline/index.html> ; ‘BP pulls out of West-East pipeline project’, 7 September 2001, <http://www.freetibet.org/press/bppr0709.htm>.

256 ‘Agip drilling on the northwest of China Sebei Block’, *Oil and Gas International*, 23 April 2002, cited in *Mining in Tibet: Mineral exploitation of Tibetan Areas of the PRC*, report published by Tibet Information Network, London, 2002, p. 21.

257 ‘Oil and gas exploration to speed up in West’, *China Daily*, 28 May 1997, p. 5.

258 Ibid.

259 ‘Xinxing Oil Company Discovers Commercial Oil Stream in Tibet’, *China Chemical Reporter*, 16 August 1999, stated in *Raiding the Treasure House: Oil and Mineral Extraction in China’s Colonization of Tibet*, a report published by the Milerapa Fund, New York, and Project Underground, Berkeley, CA, 2000, p. 13.

260 ‘CNSPC breaks ice with Tibet’s field’, *South China Morning Post*, 22 July 1999, Hong Kong, China, cited in *Tibet 2000: Environment and Development Issues*, p. 94.

region will become the major oil reserve base in the 21<sup>st</sup> century.<sup>261</sup> Judging by the rapid increase in the need for oil and natural gas China would have to relentlessly exploit and tap all the oil reserves including the newly discovered fields such as the Chang Thang oilfield. Despite all the loud claims by the government that the mega projects are for the development of the local economy it is hard to believe what the real intentions are. Since the occupation of Tibet in 1959 China has continuously carried out numerous reforms which Tibet hadn't seen in its history.

#### **2.4.2.2 West to East Power Transfer**

Hydroelectric power is one of China's four primary energy resources and it remains mostly untapped. A survey conducted in 1980 showed China's mean hydroelectric potential at 680,000 megawatts (MW).<sup>262</sup> However, total installed capacity for the production of the hydroelectric power was only 19,481 MW in 1980, accounting merely 5 percent of the potential. In its First Five Year Plan, Beijing with assistance from the Soviet Union, mapped out strategies for the development of a number of rivers and established 26 hydroelectric stations.<sup>263</sup> However the sudden Soviet Union's withdrawal of technical aid in 1960 left China's hydro program in shambles, leaving several major projects uncompleted, like that of Sanmen project on the Huang He (Tib: *Machu*, the river originates from Amdo Bayanhar Mountain and is 5,464 kilometres long). This Soviet-assisted project was planned to have a capacity of 1,100 MW but when the dam was completed in 1960, it had limited generating capacity of only 250 MW due to forced modification of the program caused by flood hazard occurred in the Guangzhong plain and at the city of Xian.<sup>264</sup>

In the late 1970s, as a part of China's modernisation drive, Beijing re-intensified the construction of large hydroelectric power stations. Constructions of eleven hydro projects, each with a capacity exceeding 250 MW were carried out.<sup>265</sup> Prominent among these projects are the Gezhouba Hydroelectric Station in Hubei on the Yangtze River (Tib: *Drichu*, which originates from Mt. Thangla with 6,380 kilometres in

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261 *Xinhua News Agency*, 15 October 1997.

262 *Remin Ribao*, 23 May 1980.

263 *Remin Ribao*, 6 May 1980, p.2

264 Cheng, Chu-Yuan, *The Demand and Supply of Primary Energy in Mainland China*, p. 86.

265 *Ibid.*, pp. 86-87

length) and Longyangxia Hydroelectric Station in Qinghai on the Huang He. The two hydroelectric plants of Gezhouba station have a total installed capacity of 2,715 MW and an annual output of 15.7 billion KWh and that of Longyangxia Hydroelectric Station has a designated capacity of 1,600 MW and a planned annual output of 6 billion KWh.<sup>266</sup> In 1980-81, though the budgets for other industries were reduced, for the electric power sector the budget remained largely intact. In fact there was a 2 percent rise in the investment of hydroelectric power.<sup>267</sup> Despite the construction of more than 90,000 hydroelectric power stations in the rural areas with the total capacity of 7,100 MW in 1980s, China's hydroelectric output remained comparatively low to satisfy the rising domestic demands of the nation.<sup>268</sup> Therefore the Chinese leaders in anticipation of future power shortages explored all means to develop their hydropower resources by launching numerous projects including many in Tibet.

#### *Yamdrok Tso (Lake)*

Tibet's rivers have some of the highest hydro power potentials in the world due to its large quantity and steep gradients. With the calculated potential of 1305 TWh Tibet's hydropower potential comprises more than two thirds of China's potential.<sup>269</sup> Tibet, the source of many large rivers in Asia and which ranks the fourth in the world for freshwater availability,<sup>270</sup> naturally became the primary focus of its exploitation. In 1985 work began at Yamdrok Lake, which is situated 100 km south-west of Lhasa.<sup>271</sup> The lake has only one little natural runoff through a small tributary of the Yarlung Tsangpo River; the inflow being balanced by evaporation. The plant has a capacity of 90 MW<sup>272</sup> and its construction involved drilling of 5,889 metre tunnels to drain water from Yamdrok Lake down to the Yarlung Tsangpo River 840 metres below, where the

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<sup>266</sup> Ibid., p. 87.

<sup>267</sup> *The China Business Review*, May-June 1981, p. 50, cited in Cheng, Chu-Yuan, *The Demand of Primary Energy in Mainland China*, p. 87.

<sup>268</sup> Ibid., p. 86.

<sup>269</sup> Cheng, Xuemin, 'Hydropower development in China', *Proc. Institution of Civil Engineers*, vol. 102, no. 1, 1994, pp. 22-33, quoted in Walter Immerzeel, *The Water Tower Function of Tibet*, January 2003-May 2005, a case study report funded by Ecoregional Fund, p. 16.

[http://www.ecoregionalfund.com/pdf/Case%2012%20prototyping%20Tibet%20finalreport\\_200505.pdf](http://www.ecoregionalfund.com/pdf/Case%2012%20prototyping%20Tibet%20finalreport_200505.pdf)

<sup>270</sup> *Tibet 2000: Environment and Development Issues*, p. 19.

<sup>271</sup> Ibid., p. 30; Office of Tibet (London), 'Hydro-Electric Project: Tunnel Collapse', <http://www.tibet.com/Eco/yamdrok.html>.

<sup>272</sup> *Xinhua*, 19 September 1998, as quoted in *Tibet 2000: Environment and Development Issues*, p.31.

plant was built.<sup>273</sup> Although the generating capacity of the Yamdrok plant is not so large, it nevertheless enhances the Lhasa power grid. *Xinhua News* reported that the Yamdrok Tso plant was operational in September 1998 and it “trebled the capacity of the Lhasa grid”.<sup>274</sup> The plant produces net energy either by draining the lake or by replenishing the Yamdrok water with the Yarlung Tsangpo in the pumping mode. But both operation modes have given rise to environmental concerns, since the limnological characteristics of the lake and the river are very different which makes the pumping back of the river water environmentally threatening.<sup>275</sup> Besides the environmental impacts of the plant, the economic benefits are also dubious. A further aggravation is constituted by the fact that the lake is considered sacred in the Tibetan religious traditions.<sup>276</sup>

The 10th Panchen Lama, who suspected an irreparable environmental damage of the 635 square kilometres, protested strongly against the building of the power plant.<sup>277</sup> His persistent opposition to the project helped in suspending the construction for four years but soon after his death in 1989, the construction was resumed. The project also encountered international opposition due to the perceived negative impacts on the ecology. Lack of reservoir to catch the water pumped out of Yamdrok Tso would leave no alternative but to drain the water from the lake into the Yarlung Tsangpo River from where water will be pumped back into the lake thus mixing the water from the two sources. The lake water, which is oligotrophic (high in minerals and low in nitrates), is very different from the river, and the mixing of the two would have adverse ecological impacts. The difference in the pH level of the lake (9.11) and the river (8.13) could affect the lake’s ecosystem. Protest came from International Committee of Lawyers for Tibet and the Free Tibet Campaign and other support

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273 Office of Tibet, ‘Hydro-Electric Project: Tunnel Collapse’,  
<http://www.tibet.com/Eco/yamdrok.html>.

274 *Xinhua*, 19 September 1998, as quoted in *Tibet 2000: Environment and Development Issues*, p. 31.

275 Petra Seibert and Lorne Stockman, ‘The Yamdrok Tso hydropower project in Tibet: A Multi-Faceted and Highly Controversial Project’, Proceedings of the International Conference on Large Scale Water Resources Development in Developing Countries, Kathmandu, October 1997, pp. CR 25-34. The report can be read at: <http://homepage.boku.ac.at/seibert/yamdrok.htm>.

276 Tashi Tsering, *The Spiritual and Cultural Significance of Yamdrok Tso*, Amnyen Machen Institute, quoted in Tashi Tsering, *Megoe Tso: The Damming of Tibet’s Sacred Lake*, Berkeley: Tibet Justice Center, 2005, p. 21.

277 The Chinese authorities promised that water would be pumped back up to the lake during off-peak periods but according to a number of foreign engineers working on the project the plans to pump the water uphill were not implemented. ‘Hydro-Electric Project: Tunnel Collapse,’  
<http://www.tibet.com/Eco/yamdrok.html>.

groups, which resulted in the adoption of resolution in 1996 by the International Union for the Conservation of Nature (IUCN) calling on China to exchange information concerning Yamdrok Tso project, utilize IUCN expertise in the field of environmental impact assessment and consider setting up a nature reserve at the lake.<sup>278</sup>

### *Yarlung Tsangpo River*

China in its bid to develop Tibet's power industry constructed several other hydro power plants on the Yarlung Tsangpo River, which originates from Mt. Kailash in Western Tibet. It flows eastward for 2,900 kilometres bending south into India as Brahmaputra, where it enters the Bay of Bengal. According to the Environmental desk of the Exile Tibetan Government, China had planned to undertake 16 hydro projects on the Yarlung Tsangpo alone, of which 10 projects were completed. The capacity of the plants varies from 120 MW to 800 KW. The history of hydro power projects on Yarlung Tsangpo dates back to 1979 with the completion of Gyantse Pumped-Storage Power Station on Nyangchu upstream generating 1,100 KW. The Pangduo power project on Lhasa River Basin is expected to generate 120 MW, thus becoming the largest hydro power plant on the Yarlung Tsangpo.<sup>279</sup> Experts estimate that the "loop" of the Yarlung Tsangpo known as "the Great Bend" has the largest hydro power potential on earth at a total capacity of 70,000 MW.<sup>280</sup> The river's gorge forms the longest and deepest canyon in the world which is approximated to be eight times as steep as and three times as large as the Grand Canyon in Colorado,<sup>281</sup> descending over 3,000 metres in approximately 200 kilometres.<sup>282</sup> The "Great Bend" at the easternmost point of the river in Tibet is composed of two projects, one is the construction of the world's largest hydroelectric plant which will generate 40,000 MW (more than twice the electricity produced by the three gorges dam) and the other is the diversion of the water which involves pumping of water from the Yarlung

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278 International Union for Conservation of Nature and Natural Resources, *The 1996 IUCN Red List Of Threatened Animals*, The World Conservation Union (IUCN), Cambridge, UK, 1996, p. 448.

279 *Tibet 2000: Environment and Development Issues*, p. 38.

280 B. G. Verghese, *Waters of Hope: Integrated Water Resource Development and Regional Cooperation within the Himalayan-Ganga-Brahmaputra-Barak-Basin*, Columbia: South Asia Books, 1990.

281 Michael McRae, *The Siege of Shangri-La: the quest for Tibet's Sacred Hidden Paradise*, New York: Broadways Book, 2002, p. 9.

282 Alfred, D. *Hydrological Aspects of the Himalayan Region*, ICIMOD (International Centre for Integrated Mountain Development), 1992, Occasional Paper no. 18, Kathmandu, Nepal, quoted in *Tibet 2000: Environment and Development Issues*, p. 29.



Tsangpo northward across hundreds of kilometres of mountainous regions to China's northwestern province of Xinjiang and Gansu.<sup>283</sup>

The plan of hydro power constructions on the Yarlung Tsangpo was discussed at the Global Infrastructure Fund (GIF) conference in Alaska July 1996, which envisaged 11 dams around the "Brahmaputra loop" and construction of a tunnel that would bring water to a powerhouse projected as having a capacity of 48,000 MW.<sup>284</sup> But for unknown reasons the plan was no longer publicised by the GIF. A year later in January 1998 the German television channel ZDF broadcasted in its programme "*Die Welt*" a feature on the Yarlung Tsangpo project in which its chief planner Professor Chen Chuanyu described the plan to drill a 15 kilometres tunnel through the Himalayas to divert the water so as to achieve an altitude drop of 3000 metres in 15 kilometres as opposed to 200 km the river takes when on its natural course. He further stated that the power would pump water to north-west China over 800 km.<sup>285</sup> Since the ZDF report no more details were made by the Chinese government. However, *The Telegraph* in October 2000 carried a story on the Yarlung project reporting on Chinese plans to use nuclear explosions to blast the tunnels through the Himalayas.<sup>286</sup> This multi-billion dollar project which is tentatively scheduled to begin in 2009 will have far reaching consequences not only for Tibet but also for India and Bangladesh, who would be at the mercy of China to release water during the dry season. This project could have serious geopolitical implications, just as Ismail Serageldin, a former senior vice-president of the World Bank, warned in a statement, that "the next World War will be over water".<sup>287</sup>

#### *Other Hydro Power Projects*

Other popular hydro power projects inside Tibet include: 1) Zhigung hydroelectric plant in Maizhokunggar (Maidroghungkar) County; 2) Megoe Tso Dam Project in Southeastern Tibet; and 3) Thirteen dam-cascade projects on Gyalmo Ngulchu (Ch:

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283 Claude Apri, 'Diverting the Brahmaputra: Declaration of War?' *The Rediff Special*, 23 October 2003, <http://www.rediff.com/news/2003/oct/27spec.htm>.

284 *Tibet 2000: Environment and Development Issues*, p. 29.

285 Ibid.

286 Damien Mcelroy, 'China planning nuclear blasts to build giant hydro project', *Telegraph*, UK, 22 October 2000, <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2000/10/22/wchin22.xml>.

287 V. Sridhar, 'Water War', *Frontline*, Vol. 20, Issue 03, 1-14 February 2003, <http://www.flonnet.com/fl2003/stories/20030214000206000.htm>.

Nu Jiang, other name, Salween which originates from Mt. Thangla with 4,500 kilometres in length). The construction work for the Zhigong hydroelectric plant is reported to have started in May 2003. The plant, being built on the Lhasa River in Maizhokunggar County, is expected to produce 400 million KWh a year. The power station has a generating capacity of 100 MW and will supply power to Lhasa and other cities in Central Tibet.<sup>288</sup> This multimillion-dollar power plant is still under construction and the production began in 2006. The second hydro power project is at Megoe Tso, the largest lake in Western Sichuan, situated in Karze (Ch: Ganzi) Tibetan Autonomous Prefecture and considered a very sacred lake by the local Tibetans. The plan to construct a 50.5 m high and 260.5 m wide dam on the lake has drawn strong oppositions from the local people as well as Chinese scientists. The dam, one of many on the list of Beijing's plans to harness Tibet's water resources, if constructed would inundate about 100 hectares of ancient forest and destroy wetlands, natural scenery and precious species and thus destroy natural habitat of many endangered species.<sup>289</sup> The dam planners, however, had their eyes fixed on the revenue that the hydro power project could bring to the local government.<sup>290</sup>

The third hydro power project, the Thirteen dam-cascade project on Gyalmo Ngulchu (Ch: *Dadu he*) in Sichuan Province's Ngawa Tibetan Autonomous Prefecture is yet another controversial project that would have serious environmental implications. The project which is scheduled to be completed in 2006 comprises of construction of dams along the main stem and tributaries of Gyalmo Ngulchu River. According to an announcement made by the Chinese government 17,000 Tibetans will be relocated within the next three years to make way for the dams.<sup>291</sup> More recently China's leaders have shown signs of making efforts to address social and environmental impacts of large dams. In 2004, Premier Wen Jaibao made an unprecedented move by suspending a project involving construction of 13 dams on the Salween River<sup>292</sup> based on

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288 'Construction Begins on TAR's Largest Hydro Project', *Trin-Gyi-Pho-Nya: Tibet's Environment & Development Digest*, Issue 1, June 2003; 'Tibet Launches Major Hydro-electric Plant Project', *People's Daily*, 19 May 2003; see also 'Tibet Starts its Biggest Hydro Project', *International Water Power and Dam Construction*, 3 June 2003.

289 Tashi Tsering, *Megoe Tso: The Damming of Tibet's Sacred Lake*, pp. 11-12.

290 'Construction Begins on TAR's Largest Hydro Project' *Trin-Gyi-Pho-Nya: Tibet's Environment & Development Digest*, Issue 1, June 2003.

291 Australia Tibet Council News, 'Fate of 17,000 Tibetans endangered by Chinese Dam Project', vol. 14, no. 2, June 2003.

292 Tashi Tsering, 'Policy Implications of Current Dam Projects on Drichu – the Upper Yangtze

projected social and environmental costs. However, the fact that the plan has not been canceled so far leaves the Tibetans in great consternation about its ecology.

#### 2.4.2.3 China's Mega-Water-Diversion Projects

China, despite being endowed with rich fresh water resources (being fourth largest reserve in the world) and river systems, is nevertheless burdened by annual water shortages,<sup>293</sup> primarily in the northern plains of China. Geographically, south China has plenty of water but is lacking in land while north China has abundant land but scarcity of water.<sup>294</sup> Many factors can be attributed to this ever increasing water shortage crisis; increasing water consumption by the growing towns and burgeoning industries, excessive pumping of underground water and falling water table, uneven distribution of water resources and rain, high evaporation rate and lack of large scale water-storage facilities to name a few. In February 2001 Premier Zhu Rongji declared, at the National People's Congress meeting, that the scarcity of water resources is a great limiting factor to economic and social development in China. Nowhere is this statement more relevant than the northern plains of China, particularly, in the Huang (Yellow River), Hai and Huai (3-H) river basins—considered as China's "bread baskets"—that produce 67 percent of China's wheat, 44 percent of its corn, and 72 percent of its millet. Moreover, the 3-H basins also produce other crops such as peanuts (65%), sunflower (64%), sesame (50%), and cotton (42%), and account for more than forty percent of China's cultivated area.<sup>295</sup> The water table in the North China plain is falling at an alarming rate, according to a groundwater survey released in Beijing in August 2001,<sup>296</sup> forcing the drillers to dig deeper and deeper into the ground to extract water, in some cases as deep as 1,000 metres.<sup>297</sup> A recent study carried out by Beijing's Geological Environmental Monitoring Institute (GEMI)

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River', *Tibetan Bulletin* (Exile Tibet Government's bimonthly Journal in English), January-February 2005, Vol. 9, Issue 1.

293 Luis Ramirez, 'Water Shortages Are Potential Threat to China's Growth, Stability', *Voice of America*, 18 March 2005, <http://www.voanews.com/english/archive/2005-03/2005-03-18-voa41.cfm?CFID=181081160&CFTOKEN=78285195>

294 Zhou Yinghua, 'Report on China's Development and Investment in Land and Water', *Investment in Land and Water*, Food and Agricultural Organisation of the United Nations, Bangkok, RAP Publication, 2002, p. 187.

295 World Bank, *China Agenda for Water Sector Strategy for North China*, Vol. 1, Summary Report, Washington, DC., 2 April 2001, p. iii.

296 Lester R. Brown, *Plan B: Rescuing a Planet Under Stress and a Civilization in Trouble*, New York: W. W. Norton & Company, 2003, p. 25.

297 Ibid., p. xi

reported that excessive pumping has mostly depleted the shallow aquifer, specifically in Hebei Province in the North China Plain, compelling the drillers to drill into the deep aquifer which could have serious consequences as the deep aquifer cannot be replenished.<sup>298</sup> The falling of water tables leads to drying up of springs, streams and rivers and disappearance of lakes.

The highly uneven distribution of precipitation, spatially as well as temporally, across China with the plains of the Huang, Huai, and Hai rivers receiving less than 15 percent of the annual precipitation in the spring<sup>299</sup> is also a major contributing factor in the drying of the northern regions. Scarcity of water and excessive salinity of the soil, a direct consequence of it, have significantly reduced productivity in approximately two-thirds of the cultivated land.<sup>300</sup> According to Lester Brown, a renowned expert on environmental movement, “the water deficit in the North China Plain (that is, the amount by which use exceeds sustainable supply) may now exceed 40 billion tons per year,” which is currently being filled by mining the groundwater. However, when aquifers get depleted the 3-H basins’ water supply will be cut by nearly 40 percent.<sup>301</sup> It is quite clear that water scarcity, along with other environment factors, is threatening China’s grain production, which had dropped to 338 million tons in 2001 from the all-time high of 392 million tons in 1998.<sup>302</sup> Liu Zhiren, a researcher at the Agricultural Economic Research Center of the Ministry of Agriculture, told AFP that China’s “grain production has fallen for four years”.<sup>303</sup> Evidently, water shortage in these regions could have serious and disastrous consequences to the food production of the nation forcing the Chinese government to seriously look for solutions to resolve this growing problem.

To address the problems of water shortages the Chinese government has been considering many initiatives including diversion of water from the south to the north, water conservation, and grain import, of which the first directly concerns Tibet. In a

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298 Lester Brown, ‘Chinese Water Table Torture’, *Grist Magazine*, 26 October 2001, <http://www.grist.org/news/maindish/2001/10/26/table/>.

299 Changming Liu and Laurence J. C. Ma, ‘Interbasin Water Transfer in China,’ *The Geographical Review*, vol. 73, no. 3, July 1983, p. 254.

300 Ibid., p. 255.

301 Lester Brown, ‘Chinese Water Table Torture’, *Grist Magazine*, 26 October 2001.

302 Lester Brown, *Plan B: Rescuing a Planet under Stress and a Civilization in Trouble*, p. 27.

303 AFP, ‘Falling Grain Production in China Renews Global Food Security Concerns’, 9 November 2003, <http://www.spacedaily.com/2003/031109021822.b6yd311s.html>.

report to the Tenth National People's Congress former Chinese Premier Zhu Rongji spoke of the government's projects to resolve the water shortage problems.<sup>304</sup> He said:

Remarkable achievements were made in infrastructure development. By concentrating our resources, we completed a number of key infrastructure projects of nationwide significance. We built water conservancy projects on a scale larger than any other time since the founding of New China. The investment in these projects nationwide totaled 356.2 billion Yuan for the five years, which was equal to the total investment in this field from 1950 through 1997 after adjusting for price changes. A number of key water conservancy projects were launched or completed. Work on reinforcing 35,000 km of river embankments was started. Over 3,500km of main dikes of the Yangtze River and nearly 1,000 km of dikes of the Yellow River have been reinforced, and their capacity to withstand floods has been greatly increased. The second phase of the Three Gorges water control project on the Yangtze River, which has attracted world attention, will soon be completed; water control facilities such as the one at Xiaolangdi on the Yellow River became operational, and construction on the South-North Water Diversion Project was begun.

The plan to divert water from the south to the drier northern regions was nothing new to the Communist government as the contemporary world might have thought. Ever since the project was first proposed by Mao Zedong in the early 1950s, Chinese hydrologists, geographers, and soil scientists had debated over the necessity and desirability of diverting water from the Yangtze River toward the northern plains of the Huang, Huai, and Hai river basins.<sup>305</sup> The Chinese Academy of Sciences and the Ministry of Water Resources and Electric Power conducted preliminary researches on the availability of water for transfer, the feasibility of the project and the best possible route for the diversion scheme. Water diversion projects in smaller sizes had been developed everywhere in China to support the nation's irrigation systems, however, it was only in December 2002 that the first phase of the gigantic South-North Water Diversion project got underway as Zhu Rongji reported in the annual report quoted earlier.

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304 'Report on the Work of the Government (2003)', 5 March 2003, <http://cns.miis.edu/straittalk/Appendix%20142.htm>.

305 Changming Liu and Laurence J. C. Ma, 'Interbasin Water Transfer in China', *The Geographical Review*, vol. 73, no. 3, July 1983, p. 253.

Selecting Yangtze River as the source of water for the diversion project makes perfect sense as it is the longest river in Asia and the third longest in the world after Amazon and Nile, with average discharge of 31,900 cubic metre per second and watershed area of 1,800,000 squared kilometre. Majestically flowing 6,380 kilometres from Qinghai-Tibet Plateau to the East China Sea it is fed by the melting glaciers in the Tibetan plateau where the riverhead is known as *Drichu*, the Female Yak River. The Yangtze River, which accounts for four fifths of China's total water along with its watershed, supports more than 700 million people.<sup>306</sup> Generally, three main routes are considered for the South to North Water Transfer Project (SNWT)—the Eastern Route in Jiangsu, the Central Route in Hubei and the Western Route in Qinghai—that will link the Yangtze River Basin to the drought-affected North China plains.

*The Eastern Route:* The 1,150 km (722-mile) Eastern Route is the least complex segment of the SNWT project and will run through the provinces of Anhui, Shandong, Hebei, Tainjin, supplying water from Jiangdu City on the Yangtze River to Jiangsu and Shandong Province by 2008.<sup>307</sup> The construction which officially began on 27 December 2002 involves upgrading and extending the Grand Canal<sup>308</sup> and other already existing water resources infrastructure which makes this route the cheapest of the three. The project once completed is expected to divert 15 billion cubic metres of water to North China each year. However, the poor water quality and the requisition of large quantity of electricity necessary to pump water to the higher elevations north of Yangtze River are some of the drawbacks of the route.<sup>309</sup>

*The Central Route:* The Central Route which would stretch from the Danjiangkou Reservoir in Hubei Province all the way to Beijing's YuYuantan Lake would divert

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306 *Tibet 2000: Environment and Development Issues*, P. 22.

307 US Embassy Beijing, 'Update on China's South-North Water Transfer Project', June 2003, <http://www.usembassy-china.org.cn/sandt/SNWT-East-Route.htm>; 'First phase of China's Water Diversion Project's Eastern Route to Operate in 2007', *People's Daily*, 26 November 2004, [http://english.people.com.cn/200411/26/eng20041126\\_165337.html](http://english.people.com.cn/200411/26/eng20041126_165337.html).

308 The Grand Canal was first built around 470 AD during the Qi Dynasty as a man-made canals and natural rivers that form a continuous waterway (1,794 km) through Jiangsu, Shandong and Hebei Provinces with the initial purpose of shipping grain from the Yangtze River valley to Beijing. It was later extended during the Sui Dynasty. A large part of the Grand Canal has decayed over the centuries but many parts of it are still in use.

309 Liu Changming, 'Environmental Issues and the South-North Water Transfer Scheme', *The China Quarterly*, no. 156, Special Issue: China's Environment, December 1998, p. 903.

14 billion cubic metres annually.<sup>310</sup> The construction works which started on 30 December 2003<sup>311</sup> involves construction of the 162-metre Danjiangkou dam with the storage capacity of 17.45 billion cubic metres, raising the dam to 176.6 metres thus increasing the total storage capacity to 29.1 billion cubic metres,<sup>312</sup> and constructing tunnel under the Yellow River, and keeping water moving along the long, gentle gradient.<sup>313</sup> According to the US Embassy Report this project would force the relocation of approximately 320,000 people which poses a gigantic obstacle to the completion of the project. Work on the 1,246-kilometre central route started in December 2003 and is expected to send water to Hebei, Henan, Beijing and Tianjin by 2010.

*The Western Route:* The Western Route would begin at the upper reaches of the Yangtze in the Tibetan Plateau and transfer water to the upper reaches of Yellow River (Tib: *Machu*) to provide water to Northwestern China. The conveyance canal which would run over some complex geological terrains including desolate mountains in Western China, at altitudes in excess of 4,000 metres in regions that are frozen much of the year, would have diversion volume of 20 billion cubic metres of water annually. The extremely expensive construction with cost estimation of more than \$37 billion,<sup>314</sup> twice the cost of Three Gorges Dam Project, and the extensive construction works mean that the Western Route is unlikely to be realised soon which nevertheless is scheduled to begin in 2010.

In total the three routes will transfer in the excess of 44.8 billion cubic metres of water. Such a huge transfer of water would affect the ecosystem of the source area, the transit area and destination area. Experts fear that the Western Route Project would destroy the already threatened ecosystem in the upper reaches of the Yangtze River forever and increase soil erosion and desertification.<sup>315</sup> *Xinhua News Agency* reported that “the project, with an estimated total cost of 500 billion Yuan (US\$60.24

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310 US Embassy Beijing, ‘Update on China’s South-North Water Transfer Project’, June 2003.

311 ‘South-to-North Water Diversion East/Middle Lines to Flow Water in 2007/10’, *People’s Daily*, 17 November 2004, [http://english.people.com.cn/200411/16/eng20041116\\_164130.html](http://english.people.com.cn/200411/16/eng20041116_164130.html).

312 Liu Changming, ‘Environmental Issues and the South-North Water Transfer Scheme’, *The China Quarterly*, no. 156, Special Issue: China’s Environment, December 1998, p. 900.

313 US Embassy Beijing, ‘Update on China’s South-North Water Transfer Project’, June 2003.

314 Ibid.

315 Lu Jiaguo, ‘Western Route Water Transfer Project Should Be Reconsidered’, translated by Dolkar Tenzing in *Trin-Gyi-Pho-Nya: Environment & Development Digest*, vol. 2, no. 6, January 2005.

billion), has aroused global concern about land use, regional environmental damage and impact on agriculture along the planned routes”.<sup>316</sup> Other possible negative environmental effects of the SNWT project include rising of aquifer in poorly drained areas with high water table, which may lead to secondary salinisation of the soil and along the routes of the canals fish and other aquatic life in ponds and lakes may be affected. Beside these environmental issues such projects inevitably cause major social disturbance in the relocation of tens of thousands of people. In a recent news article *Xinhua* quoted Zhang Jiyao, the Director of the South-North Water Diversion Project Construction Committee, as saying that “the project would involve more than 100 counties in seven provinces and municipalities and require the relocation of 300,000 to 400,000 people”.<sup>317</sup> Although the World Bank argues that the environmental issues can be addressed and that, in some places, the project could actually mitigate river pollution, it also warned that huge undertakings such as these projects could prove futile unless China fundamentally changes the way it consumes and manages water.<sup>318</sup>

Another major water diversion project under consideration and is a source of much consternation to India and Bangladesh is the Yarlung Tsangpo Hydro and Water Diversion Projects. As briefly mentioned earlier this project involves transferring water from the Yarlung Tsangpo River in the south of Tibet to the drier regions in the Northwestern China. Originating from a glacier near Mount Kailash, the Yarlung Tsangpo River is the largest river in Tibet that runs 2,057 kilometres in Tibet and flows into India and Bangladesh, where the river is the lifeline for millions of people. The massive diversion of the river away from its natural course would have disastrous consequences to the livelihood of millions of people, crop production, ecology in the northeastern parts of India and Bangladesh. Nutrient-rich sediments would not reach the river’s delta and fish will be blocked by the dam. *Xinhua* confirmed China’s intentions when it announced that preliminary studies of the water diversion project were carried out in the region in mid 2003, followed by feasibility studies in October of that year which had caused India to express concerns and prompted the Indian state

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316 *Xinhua News Agency*, ‘400,000 to Make Way for Water Diversion Project’, 6 April 2005.

317 Ibid.

318 Jehangir Pocha, ‘China’s water supply in danger of drying up: With new river diversion project, government hopes to avoid disaster’, *San Francisco Chronicle*, 5 September 2004, p. A-16.  
<http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2004/09/05/MNGTA8K4JL1.DTL>.



of Assam's Union Ministry of Water Resources to seek factual details of the project.<sup>319</sup> The diversion project would transfer water thousands of kilometres across the Tibetan Plateau to the provinces of Xinjiang and Gansu. Although the Yarlung Tsangpo Diversion Plan would bring substantial benefits to China in terms of electricity and water for the dry northern plains, the overall cost to the people living in the riparian areas and the ecology would be huge. For the local Tibetans, such projects are "impositions on their land and their birthright by the occupying Chinese government".<sup>320</sup>

#### 2.4.2.4 Qinghai-Tibet Railway Project

The Qinghai-Tibet railway project, also known as Golmod-Lhasa railway, is a high priority, key infrastructure project that has received the backings of the highest leaders in Beijing.<sup>321</sup> This multi-billion dollar project is an important component of the Great Western Development campaign initiated by Jiang Zemin, the former President of People's Republic of China, in the summer of 1999 to boost up the rapidly developing economy of the nation and to alleviate the economic disparity between eastern and western areas.<sup>322</sup> In their drive to develop China's western regions, the State Council gave its final approval, in February 2001, to this mega-project to lay the tracks from Gormo<sup>323</sup> to Lhasa in the Tenth Five-Year Plan (2001-2005), and the construction work began in July of the same year. Despite Beijing's repeated proclamations that the project is aimed at bringing economic development in these regions, it is intimately connected with the government's political objectives. With the successful completion of the project, scheduled for 2007, Tibet would be linked to China by a major

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319 *Trin-Gyi-Pho-Nya*, editorial, 'Let the Brahmaputra Flow', *Trin-Gyi-Pho-Nya: Tibet's Environment & Development Digest*, Issue 4, 12 January 2004, <http://www.tibetjustice.org/tringyiphonya/num4.html>; 'China to Conduct Feasibility Study on Power Project in Tibet', *PTI*, 17 July 2003, <http://www.phayul.com/news/article.aspx?id=4580&t=1>.

320 Ibid.

321 The project has the blessings of Jiang Zemin, the then President of PRC, and Zhu Rongji, the then Premier of China, stated in Willy Wo-Lap Lam, 'China's Big Projects Raise Hackles', CNN Online, 14 March 2001, <http://archives.cnn.com/2001/WORLD/asiapcf/east/03/14/china.willy.npc/>.

322 According to International Campaign for Tibet's report, '*Crossing The Line: China's Railway to Lhasa, Tibet*', 2003, the western area consists of Chongqing Municipality, Gansu Province, Guangxi Zhuang Autonomous Region, Guizhou Province, Inner Mongolia Autonomous Region, Ningxia Hui Autonomous Region, Qinghai Province, Shaanxi Province, Sichuan Province, Tibetan Autonomous Region, Xinjiang Uygur Autonomous Region, and Yunnan Province. The area covers 71 percent of the PRC's total area and 80 percent of the minorities live in these regions.

323 Gormo is the Tibetan name for a region in Qinghai province which is known to the Mongols as Golmod. Chinese name in pinyin is Ge'ermu.

transportation system that would have great political, military as well as strategic implications. The Vice Minister of Railways Sun Yongfu, while answering to NPC deputies, is reported as acknowledging the “far-reaching impact [of the rail link] in political, economic and military terms”.<sup>324</sup>

The idea to link Lhasa with major Chinese cities by railway is not a recent phenomenon. It was first proposed by Dr. Sun Yat-sen, Chinese Nationalist Party founder in early 1900s, who had ambitious plans to connect the former Qing empire by constructing 100,000 miles of railway tracks, criss-crossing the vast nation to form a network with three main trunk lines—eastern trunk line, central trunk line and southern trunk line—with the last trunk line passing through Chinese provinces of Yunnan, and Szechwan and into Tibet.<sup>325</sup> The original program was revised and extended in 1918 with a network of six national systems of which the Plateau System would include railroads serving Tibet, Qinghai, Sikang, and parts of Turkestan, Kansu, Szechwan and Yunnan. Chang Kia-ngau, former Minister of Railways writes, “Lhasa, the political and religious center of Tibet, was chosen as the center for this railroad system. The lines are to radiate from Lhasa to Lanchow, Chengtu, Suifu, and Iden, making connections with the Northwestern and Southwestern Systems, while other lines are to lead from Lhasa to India and Nepal”.<sup>326</sup> However, the grand vision remained unfulfilled as the Nationalist Government was drawn into war with Japan and civil war with the Communists which led to the Communist victory in 1949. Soon upon the formation of the People’s Republic of China Mao’s new government revived Sun Yat-sen’s railway projects and built four major routes in the west<sup>327</sup> of which Lanzhou-Xining line was the first railway to reach the Tibetan plateau. The line was further extended and the railway connection between Xining and Gormo, an 846 km track, was finally made in 1979 which was exclusively used by the People’s Liberation Army to transport military supplies and other things until 1984.

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324 Willy Wo-Lap Lam, ‘China’s Big Projects Raise Hackles’, CNN Online, 14 March 2001.

325 See Chang Kia-ngau, *China’s Struggle for Railroad Development*, New York: The John Day Company, 1943, p. 50. Chang occupied the post of Minister of Railways (1935-1937), and Minister of Communications (1937-1942) of the Republic of China.

326 Ibid., p. 52.

327 Four routes were constructed in the west during the First (1953-57) and Second (1958-62) Five-Year Plans, that brought railway closer to the Tibetan frontier from the east: Tianshui (Gansu)-Lanzhou (Gansu) in 1952; Baotou (Inner Mongolia)-Lanzhou in 1958; Lanzhou-Xining (Qinghai) in 1959; Chengdu (Sichuan)-Chongqing (Chongqing) in 1952. See *Crossing the Line: China’s Railway to Lhasa, Tibet*, International Campaign for Tibet, Washington, p. 5.

Despite numerous technical and economic difficulties the PRC government continued with their bigger plans of connecting Lhasa to other railway systems in China. The push towards Lhasa was officially given the green light by China's State Council in the Tenth Five-Year Plan. The construction of the Gormo-Lhasa railway was carried out in the context of a larger plan of railway development which the Chinese government considered as a major means of transportation and communication, and the expansion of which is intimately connected with the growth of its economy. The investment of the project was initially estimated at 14 billion Yuan (US \$1.7 billion) but later was revised and increased twice from 19.4 billion Yuan to 26.2 billion Yuan (US \$ 3.2 billion).<sup>328</sup> Such a huge investment is generally viewed as a poor investment since the revenue from the railway will hardly justify the huge capital investment. The line that generally follows the Qinghai-Tibet Highway is said to involve construction of 286 new bridges and 30 kilometres of tunnels.<sup>329</sup> The route passes through earthquake prone remote areas with extremely low temperature and low atmospheric pressure. Roughly 780 km (485 mi) of the track runs at an elevation of 4,500-5,000 m, with the highest point at Dangla (Ch: Tanggula) Mountain pass reaching 5,072 m. The extreme geographic conditions such as low oxygen content at high elevation could cause high failure rates of the machinery and electric equipment and could have serious health effects. Moreover, frost heaving and soil thaw collapse is likely to affect the stability of the rail bed. These extreme conditions combined with China's lack of engineering experiences in laying tracks in such environmental conditions pose serious challenges to the maintenance of the tracks, bridges, and other structures such as station foundations.

There are other grounds for disputing the railway's economic rationale. Tibet's population and GDP are low even by more realistic standards and the combined population of counties along the route, including Lhasa and Gormo, is only 547,756.<sup>330</sup> The numbers are too small to support revenue generating market base that is large enough to offset the railway's operating cost. Moreover, the current

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328 See *Reuters*, 'China says Tibet Railway on Track Despite Climate', 9 November 2001; TIN, 'Route Proposed for Qinghai-Tibet Railway', *TIN News Update*, 24 December 1998.

329 'Tibet Railway to Fast-track Economic Goals', *World Tibet Network News*, 23 July 2001, [http://www.tibet.ca/en/wtnarchive/2001/7/22\\_1.html](http://www.tibet.ca/en/wtnarchive/2001/7/22_1.html).

330 *Qinghai Statistical Yearbook* 2001 and *Tibet Statistical Yearbook* 2001, Beijing: China Statistics Press, 2001, see *Crossing the Line: China's Railway to Lhasa, Tibet*, ICT, 2003, p. 9.

transportation levels in the TAR and Qinghai province, with a total number of passengers for railway, highway and waterway amounts to only about 0.25% of China's total in 2001 and the share of freight traffic at 0.36%,<sup>331</sup> reflect the low demand in the region. The 2000 census indicated that only 61,481 Tibetans lived outside of the TAR and the four adjacent provinces. Therefore, the question is who will use the railway and for what purpose. According to the China's Ministry of Railways 5 million tons of goods will be transported into the TAR by railway which is more than 21 times the current amount.<sup>332</sup> Such speculation and projection underscore a broader Chinese plan and an ulterior motive of economic, political and cultural assimilation by China—a longstanding goal of the Communist Party.

Considering Beijing's steadfast determination to continue with the project despite the economic and technical challenges and little economic benefit projections it becomes apparent that the Chinese government is expecting greater political rewards than economic. The former President of the People's Republic of China, Jiang Zemin, is quoted as saying, "Recently a project has been launched to build a railway railroad from Golmud to Lhasa. It will be built through permafrost area at 4,000 to 5,000 metres elevation. Some people advised me not to go ahead with this project because it is not commercially viable. I said this is a political decision, we will make this project succeed at all costs, even if there is a commercial loss".<sup>333</sup> This statement clearly highlights China's motives behind the unprecedented railway project, a candid acknowledgment that invalidated claims by other Chinese leaders of economic development and the prosperity of the minorities as the primary reason for such development. Strategically, the mass transportation system that will penetrate Tibet will play a very crucial role in national integration, defence and in a more localised sense it will facilitate in bringing political and social stability in Tibet, a region that the CCP considers unstable and volatile. Wang Lixiong, a Han Chinese political

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331 In 2001 there were 1,250,000 passengers in the TAR and 30,050,000 passengers in Qinghai traveling using railways, waterways and highways. The national total was 15,341,220,000. For freight traffic, measured in 10,000 ton units, the national total was 1,401,177, while the TAR and Qinghai totals were 172 and 5,042, respectively. *China Statistical Yearbook 2002*, China Statistics Press, Beijing, 2002, see *Crossing the Line: China's Railway to Lhasa, Tibet*, ICT, 2003, p. 9.

332 'Construction of Tibetan Railway Well Under Way', *People's Daily*, 8 November 2001. According to the Tibet Statistical Yearbook 2001, 232,453 tons of goods were transported into the TAR in 2000. See *Crossing the Line: China's Railway to Lhasa, Tibet*, ICT, 2003, p. 9.

333 Jiang Zemin, *New York Times*, August 10, 2001.

writer, writes in 'Nationalism and Tibetan Question' that an option for the long term solution to deal with the growing nationalism in regions such as Tibet could be to flood the region with Han Chinese and build a very stable social structure. And the Gormo-Lhasa railway will provide a convenient way for the government to achieve that. For instance, the Chinese government had used railway lines to colonise Inner Mongolia, East Turkistan (Xinjiang), and Manchuria in the 20<sup>th</sup> century. Chang Kia-ngau, assessed the expansion of railway network as: "The colonisation of Mongolia and Chinese Turkistan would be greatly encouraged by the construction of this system, colonisation and railroad construction being dependent upon each other for their success".<sup>334</sup> For instance throughout the last century, facilitated by the convenience of railway transportation, the immigration of Han Chinese into Manchuria from adjacent regions was heavy, and today the majority of population in Manchuria is Chinese.<sup>335</sup> Similar occurrences were repeated in Inner Mongolia and East Turkistan. Railway from Zhangjiakou reached Hohhot and Baotou in the 1920s which brought millions of Chinese settlers into Inner Mongolia that has led to the outnumbering of the indigenous population by Han Chinese. Statistic recorded in the last census showed that of the 23.7 million inhabitants only 3.9 million were Mongol and the pace of resettlement has not slowed.

In October 2005 the Qinghai-Tibet railway line was completed, a year before schedule, which the Chinese Vice-Premier Zeng Peiyan described as "an overall victory of a decisive battle"<sup>336</sup> and *Xinhua News Agency* selected it as one of the top ten newsmakers of the year.<sup>337</sup> Hailed as the world's longest plateau railroad, the Qinghai-Tibet Railway stretches 1,956 kilometres from Xining to Lhasa and runs at an average elevation of 4,000 metres above sea level with the highest points at 5,072 metres, some 200 metres higher than the Peruvian railway in the Andes.<sup>338</sup> The railway is expected to carry 75 percent of all the inbound goods and cargoes into

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334 Chang Kia-ngau, *China's Struggle for Railroad Development*, p. 50.

335 Until 1860, Manchuria included former Russian and Inner Mongolian territory. However, since 1956 Manchuria has comprised Jilin, Heilongjiang and Liaoning provinces. According to a 2000 census, the total population of the three provinces was 106.55 million, out of which 95.45 million were ethnically Chinese.

336 'Good Preparations for Qinghai-Tibet Railway's trial operation stressed', *People's Daily*, 6 January 2006, [http://english.people.com.cn/200601/06/eng20060106\\_233215.html](http://english.people.com.cn/200601/06/eng20060106_233215.html).

337 'Top 10 News Stories in China in 2005', *People's Daily*, 30 December 2005, [http://english.people.com.cn/200512/30/eng20051230\\_231700.html](http://english.people.com.cn/200512/30/eng20051230_231700.html).

338 'Leaders Hail Construction of Qinghai-Tibet Railway', *People's Daily*, 16 October 2005, [http://english.people.com.cn/200510/16/eng20051016\\_214564.html](http://english.people.com.cn/200510/16/eng20051016_214564.html).

Tibet, reducing transportation costs considerably. The railway line will go into trial operation in July of 2006. Tibetans are concerned that the Gormo-Lhasa railway will lead to increased influx of Chinese migrants and fear that the Tibetans will become a minority in their own land. Drastic change in demography make-up will pose significant threat to the livelihoods and culture of the local people as well as to their prospect for achieving genuine political autonomy. In my interview with newcomers last year at the Tibetan Reception Center for the newcomers in Nepal many people expressed their deep concerns about the new railway line and what it will bring to Tibet. They fear that a number of Chinese immigrants would come to Tibet creating intense competition in the job market and the resources of the region. Tashi, a 42 year old butter seller from Lhasa, said that the reason for his flight was primarily because he was forced out of his butter selling business with the increase in the job competition as more and more immigrants from China enter the business. He further added that the Tibetans inside Tibet have no future in their own country. Tashi anticipated further escalation of unemployment of the Tibetans once when railway operation in Lhasa commences.<sup>339</sup> John Ackerly, the President of International Campaign for Tibet, said that there was no real reason for the railroad to be built “other than to provide for the Chinese military and the settlers. There will be few benefits for some parts of the Tibetan population but the sad thing is that this will continue a tradition of building large infrastructure projects that the Chinese population needs, while ignoring the real needs of the broad population of the Tibetans”.<sup>340</sup> The railway will be used for military purpose to transport military supplies and logistics. According to Free Tibet Campaign “the rail grants China the ability to establish new military bases and store nuclear weapons, airplanes and rockets in the region”.<sup>341</sup> Such moves could be perceived by India as a direct threat which potentially could destabilise the entire region.

Interviewees also told me that there have been cases where people were not compensated by the government for confiscating their land that fell on the path of the

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339 Interview with Tashi, a 42 year old newcomer from Tibet in Nepal July 2005. The numbering system I use for my tapes include the category (TN: Tibetan Newcomer), venue of the interview and the tape number TN/Nepal/Tape2.

340 Rupert Wingfield-Hayes, ‘China’s Ambitious Railway’, *BBC News*, 1 August 2001, <http://news.bbc.co.uk/1/hi/world/asia-pacific/1468282.stm>.

341 Andreas Lorenz, ‘Tibet By Rail: By Train on the Roof of the World’, *Spiegel Deutschland*, 20 October 2005, <http://www.spiegel.de/international/spiegel/0,1518,380808,00.html>.

railroad and that the Tibetans in Tibet, especially in Lhasa are apprehensive that the operation of the railway would lead to further deterioration of the Tibetan standard of living. There is a widespread fear that with the influx of Chinese immigrants, brought in by the railway, social problems such as unemployment and crime rate will also increase. Aside from all the geo-strategic implications to the Tibetans in Tibet “the railway is a death sentence” according to Lhadon Tethong, Executive Director of Students for a Free Tibet, a student organisation that had campaigned vigorously against the Railway project. “The Chinese government already encourages Chinese settlers to move into Tibet in order to assimilate Tibetans and eliminate their resistance to Chinese rule. The railway will increase this population transfer exponentially, posing a dire threat to Tibetans’ survival as a people,” she continued.<sup>342</sup>

The Communist government claimed that the Tibetan people desire this new form of transportation system.<sup>343</sup> However, Tibetans both inside Tibet and in exile express deep concern and opposition. They argue that the lack of meaningful consultation with the Tibetan populace, the predominance of military usage of the railway as transportation channel, the need to transport supplies to an exploding settler population are all indications that the railway’s primary purpose to solidify the Chinese occupation of Tibet. Without changes in Beijing’s current policy towards Tibet, the pattern of growth and development that has created and widened economic disparity between the Tibetans and Chinese will accelerate the assimilation process to a same degree as that found in Inner Mongolia which could seriously dilute the distinct Tibetan culture. As Politburo member Li Ruihan said in 1997, “expanding Tibet’s economy is not a mere economic issue, but a major political issue that has a vital bearing on Tibet’s social stability and progress”.<sup>344</sup> Yet reports already carry Chinese plans to extend the railway line and that Lhasa won’t be the last destination for the railway. Extension lines will be built to take the steel road farther west to Shigatse and Nyingchi according to Zhang Jianping, the Deputy Director of the Planning Department of China-Railway Bureau. The extension lines, Lhasa-Shigatse line and Lhasa-Nyingchi line, with the total length of 700 kilometres is planned to

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342 ‘Tibet Activists Target Bombardier’s Annual Meeting’, *World Tibet Network News*, 7 June 2005, [http://www.tibet.ca.vs7.korax.net/en/newsroom/wtn/archive/old?y=2005&m=6&p=7\\_1](http://www.tibet.ca.vs7.korax.net/en/newsroom/wtn/archive/old?y=2005&m=6&p=7_1).

343 ‘Qinghai-Tibet Railway Kicks off,’ *People’s Daily*, 30 June 2001.

344 Cited in *Tibet: Human Rights and the Rule of Law*, International Commission of Jurists, Geneva, 1997, p. 144.

start construction in 2006.<sup>345</sup> Given Communist China's policy of expansionism the lines will definitely go further reaching Nepal and Indian borders,<sup>346</sup> which will increase tension and pose security threat to the Asian sub-continent. I will discuss this issue in the next chapter in greater detail.

### 2.4.3. Dalai Lama's Guideline for Future Tibet Polity

While the Sino-Tibetan negotiations between the Dalai Lama's representatives and Beijing have been a slow process, changes have come rapidly in the Tibetan community in exile. Ever since the Central Tibetan Administration (CTA) was established in 1960, the Dalai Lama has initiated reforms that have transformed the old theocratic to a democratic system in exile. Beginning on 2 September 1960, the first representative form of government, through the Assembly of Tibetan People's Deputies, (ATPD, the legislative body) was introduced in India.<sup>347</sup> In 1961, based on the principles of modern democracy, the Dalai Lama prepared a draft constitution for the future Tibet. The new draft constitution enshrined democratic principles and contained provisions that accord with the contemporary international standards, but it was difficult for the Tibetans to accept the radical change and implement the constitution after centuries of rule by the Dalai Lamas, who were believed to be manifestation of the Buddha of Compassion. The proposal to grant effective power to a mere human representative thus jarred the conscience of many Tibetans. Tibetans therefore showed reluctance to endorse the provision which stipulated that in a free Tibet the Dalai Lama could be impeached by a two-third vote of the Assembly of Tibetans People's Deputies.<sup>348</sup> However, the Dalai Lama himself insisted this

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345 Joe Haiyan, 'Two extension lines of Qinghai-Tibet railway to build', *China Tibet Information Center*, 16 August 2005, [http://info.tibet.cn/en/en\\_index/pas/t20050816\\_48827.htm](http://info.tibet.cn/en/en_index/pas/t20050816_48827.htm).

346 Andreas Lorenz, 'Tibet By Rail: By Train on the Roof of the World', *Spiegel Deutschland*, 20 October 2005, <http://service.spiegel.de/cache/international/spiegel/0,1518,380808,00.html>;

Joe Haiyan, 'Two extension lines of Qinghai-Tibet railway to build', *China Tibet Information Center*, 16 August 2005, [http://info.tibet.cn/en/en\\_index/pas/t20050816\\_48827.htm](http://info.tibet.cn/en/en_index/pas/t20050816_48827.htm).

347 The 14<sup>th</sup> Dalai Lama, *Freedom in Exile: the Autobiography of His Holiness the Dalai Lama*, UK: Abacus, a Division of Little, Brown and Company, 1998, p. 182. The first elected representative body in Tibet's history – the Commission of Tibetan People's Deputies (CTPD) took office on September 2, 1960 (the name was later changed into Assembly of Tibetan People's Deputies). The Tibetan community observes this historic date as National Democracy Day. The Exile Tibetan Parliament before 1990 reform, consisted of two representatives each from the three provinces (Amdo, Kham and U-Tsang), one representative each from the four schools of Tibetan Buddhism, namely Nyingma-pa, Kagyud-pa, Sakya-pa and Gelug-pa, and Bonpo, the ancient Tibetan religion, and one was nominated directly by the Dalai Lama.

348 Gong-sa skyab-mgon chen-po-mchog nas spyi-lo 1961-1962 gnyis-kyi gsum-bchu'i dus-chen skabs bstsal-ba'i gsung-bshad khag-gnyis dang ma'-ongs pa'i bod-kyi rtsa-khrims snying-don gsal-bsgrags bskyangs pa'i skor bod ljongs chol gsum mi mang ser skya spyi nas snyan zhu phul ba'i



provision be left in, without which he thinks that there won't be a genuine democracy in the Tibetan community.<sup>349</sup> Later, in 1963 a detailed draft constitution was promulgated. Despite strong opposition from the Tibetan communities in exile, the Dalai Lama insisted on the inclusion of the provision which authorised the Council of Regents to assume the executive power of the Dalai Lama when the National Assembly, by a two-third vote of its total members in consultation with the Supreme Court, decides that this is in the highest interest of the nation. On 10 March<sup>350</sup> 1969, the Dalai Lama made an important statement announcing that on the day Tibet regains its independence the Tibetan people must decide for themselves as to be governed by the Dalai Lama or not, and the kind of system of government they wanted. He said that the opinion of the Tibetan younger generation will be an influential factor in making this decision.<sup>351</sup>

Further in May 1990, the Dalai Lama initiated dramatic reforms by dissolving the Tenth ATPD and Kashag that came up through the previous procedure, and called for the election of a new parliament, which was then expanded to 46 members. The ATPD was bestowed more constitutional powers including the power to elect the *Kalons* (Cabinet ministers), who were previously appointed directly by the Dalai Lama. The clause to impeach the Dalai Lama was retained.<sup>352</sup> In that same year, exile Tibetans in the Indian sub-continent and in more than 33 other countries elected the 11<sup>th</sup> Tibetan Exile parliament.<sup>353</sup> The 11<sup>th</sup> parliament became a full-fledged

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ngo bshus bzhugs so. (A written letter sent to His Holiness, regarding the Dalai Lama's March 10 statements of 1961, 1962 and the announcement of Future Tibet's Constitution (amendment), signed by the heads of the Tibetan communities in Kalimpong, Dalhousie, Darjeeling, Bomdila, Mysore, Mussoorie, Simla, Bhutan, Gangtok and Nepal, October 23, 1961).

349 The 14<sup>th</sup> Dalai Lama, *Freedom in Exile: The Autobiography of His Holiness the Dalai Lama*, p. 182; 'Guidelines on Future Tibet's Constitution', A. A. Shiromany, ed., *The Political Philosophy of H.H. the XIV Dalai Lama: Selected Speeches and Writings*, p. 277.

350 Tibetans everywhere mark this day as the National Uprising Day, when tens of thousands of Tibetans in Tibet rose up to protest Chinese invasion and occupation of their country in 1959. According to the exile Tibetan government 87,000 Tibetans were killed when Chinese troops brutally crushed the uprising.

351 '10 March Statement 1969', A. A. Shiromany, ed., *The political Philosophy of the His Holiness the XIV Dalai Lama: Selected Speeches and Writings*, pp. 372-374.

352 Ibid., 'Speech at Special Congress', May 11, 1990 Dharamsala, pp. 262-266.

353 The Assembly of Tibetan People Deputies has 46 members and its term is for five years. Tibetan refugees from the three provinces of Kham, Amdo and U-Tsang elect ten Deputies each. The four Tibetan Buddhist schools, namely Nyingma-pa, Kagyud-pa, Sakya-pa and Gelug-pa, and the ancient Tibetan religion known as Bonpo elect two Deputies each. In order to ensure sufficient representation to the Tibetans living in Europe and America, these communities elect two, one Deputy each to the Parliament. Remaining three seats are reserved for Tibetan individuals of eminence who are nominated directly by the Dalai Lama.

parliamentary body, with the right to elect the cabinet which consists of eight members, who are responsible to the Assembly. In June 1991, the new democratic constitution promulgated as a result of this reform was adopted by the Assembly of Tibetan People's Deputies as "the Charter of Tibetans in Exile". The charter enshrines the basic fundamental rights and also provides detailed guidelines on the functioning of the Tibetan government with respect to those living in exile. In that year, the exile Tibetan Supreme Justice Commission was also established. The Tibetan Supreme Justice Commission functions like a court, trying only civil cases of the Tibetan refugee community, as India does not officially recognise the Tibet Government-in-Exile. Disputes are settled more or less in accordance with arbitrational procedures. All criminal matters go to the Indian judicial system. The Supreme Justice Commission of Tibetan Government-in-Exile, so far has ruled few cases and even though it lacks the mechanism for enforcing its rulings, the parties usually follow the decisions made by the Commission.

In 1992, the Dalai Lama in his *Guidelines for Future Tibet's Polity and the Basic Features of its Constitution* made a major statement saying that, "I have made up my mind that I will not play any role in the future government of Tibet, let alone seek the Dalai Lama's traditional political position in the government".<sup>354</sup> He stated that a free Tibet would have an elected democratic government composed by executive, bicameral legislative and judicial branches. The Dalai Lama also announced that during the transition period, between withdrawal of the repressive Chinese troops from Tibet and the final promulgation of the Constitution, the administrative responsibilities of the state will be entrusted to the Tibetan functionaries presently working in Tibet. He said that during this period, an interim president will be appointed to whom the Dalai Lama will delegate all his political powers and responsibilities. The present Tibetan government-in-exile, he said will then be dissolved.

The guidelines for Tibet's future polity also stated:

Future Tibet shall be a peace-loving nation, adhering to the principle of ahimsa (non-violence). It shall have a democratic system of government

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<sup>354</sup> 'Guidelines on Future Tibet's Constitution', A. A. Shiromany, ed., *The Political Philosophy of H.H. the XIV Dalai Lama: Selected Speeches and Writings*, p. 280.

committed to preserving a clean, healthy and beautiful environment. Tibet shall be a completely demilitarised nation.<sup>355</sup>

Later in 2000, in one of the most radical and unprecedented reforms in the history of Tibet the Dalai Lama proposed to amend the charter of the Tibetan government so as to allow the direct election of the Kalon Tripa, a position which is similar to a prime minister, that would wield the highest political authority in the Executive Branch of the Tibetan government. The implementation of this reform means a guaranteed major shift in the Tibetan political landscape as the supreme political power would be transferred away from the Dalai Lama who had enjoyed undisputed leadership status for the past many centuries. In 2001 Tibetans all over the world, as per the legislature, went to polling booths and elected their first Kalon Tripa.<sup>356</sup> Soon after the oath taking ceremony of the democratically elected first Tibetan Prime Minister on 5 September, the Dalai Lama told a group of journalists in Dharamsala that the Tibetans should learn to work in a democratic system that is independent of the Dalai Lama. He said, “They should work as if there is no Dalai Lama. I am actually preparing the Tibetans to get ready for the day when I will be no more amidst them... I don’t want that there should be any break in the process or chaos after I am dead”.<sup>357</sup>

The issue of the 14<sup>th</sup> Dalai Lama’s succession is a highly crucial issue for the Tibetan government-in-exile and the whole Tibetan population. Many bills have been passed in the Tibetan parliament on this subject. In an interview with Jonathan Mirsky, the Dalai Lama said, “If I passed away, the Tibetan people would want a Dalai Lama. But I have made clear that the next Dalai Lama will be born in a free country. I think the Tibetans will accept that and they won’t accept a boy chosen by the Chinese”.<sup>358</sup> For the majority of Tibetans inside and outside Tibet the Dalai Lama’s word on the issue of his succession is final, definitive and absolute. In the Tibetan Buddhist tradition such is his prerogative. The Dalai Lama’s proclamation that his successor will be born in a “free country” means that unless Tibet becomes “free” (whether as a sovereign

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355 Ibid., pp. 276-286.

356 ‘A Brief Biography of Kalon Tripa’, *Sheja* (Exile Tibetan Government’s monthly official journal in Tibetan language), September 1991.

357 ‘Tibetans Learn the Power of Ballot: A Potent Weapon Against Chinese Bullets’, Vijay Kranti, *Border Affairs*, New Delhi, October-December 2001. The author is an acknowledged expert on Tibet affairs.

358 Jonathan Mirsky, ‘The Dalai Lama on Succession and on the CIA’, *New York Review of Books*, vol. 46, no. 10, 10 June 1999.

state or a region within China which is “autonomous” in more than name) the Dalai Lama will not be born inside Tibet. And to forestall the historical problems of intense power struggle that usually ensue during the period of the Dalai Lama’s death and his successor’s maturity the charter calls for the Tibetan Parliament, in consultation with the Supreme Justice Commission, to elect a Regency Council that will take the responsibility of choosing the next reincarnation. These measures will be taken to remedy all the specific problems witnessed by Tibet’s history. Unlike the past the Tibetan government will be administered by the Executive Branch whose head is elected by the people.

#### **2.4.4. Referendum in the Exile Tibetan Community: Independence or Autonomy?**

As the years of Sino-Tibetan negotiation showed no signs of progress, the young Tibetans in exile became increasingly disenchanted with the Dalai Lama’s policy of the Middle Path/Way approach unveiled in 1988. Although the Dalai Lama has gained worldwide popularity for his non-violent struggle against China, there exist dissenting voices and criticism among Tibetan exiles of the leadership’s strategy. The Tibetan Youth Congress (TYC),<sup>359</sup> the largest NGO in the Tibetan community, is critical of the Dalai Lama’s “Middle Way” approach and consistently stood for Independence. According to Kelsang Phunstok, the present President of Tibetan Youth Congress, the Dalai Lama was incorrect in giving up the struggle for independence because he felt that the independence is the ultimate goal for all the Tibetans in and outside Tibet. He said that His Holiness’s Strasbourg proposal has left the exile Tibetans with no clear vision of their future goal.<sup>360</sup> A former President of the TYC, Lhasang Tsering, has similar views on this issue. In a short interview with Lhasang Tsering, he stressed that independence is the only viable solution for the Tibetan struggle saying, “how can one live with one’s enemy who had killed our parents, and brothers and sisters”.<sup>361</sup> During my visit to India and Nepal in the last three summers I have noticed this trend of

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359 The Tibetan Youth Congress is the largest NGO in the Tibetan Community with 71 branch offices world wide. The organisation was founded on October 1970 in Dharamsala, India. Its demand for complete independence has been consistent and though it has never resorted to violence as a means to achieve independence it has kept its option open.

360 Communication with Kelsang Phunstok in August 2003.

361 Interview with Lhasang Tsering in August 2005. He was a former member of the Tibetan resistance movement in Mustang on the Nepal-Tibet border and a former President of TYC from 1986 to 1990 and was one of the co- founding directors of Amnye Machen Institute, Dharamsala.

thinking among many of the Tibetan youths who have graduated from different colleges in India. Despite their disagreement on the Dalai Lama's Middle Way policy, they still show great respect and devotion to the Dalai Lama.

Interestingly, in the interviews with the Tibetan newcomers in India and in Nepal that I conducted in summer 2005, I have noticed that majority of them chose independence over the genuine autonomy when given the two choices. However, after explaining to them the Dalai Lama's Strasbourg Proposal, they changed their mind by saying that they would accept whatever he proposes. I feel that this is more out of their faith in him as all the newcomers told me that seeking of his blessing was one of their primary reasons for escaping Tibet.<sup>362</sup> The other reason could be that unlike the Tibetan graduates in India, the newcomers lack the education background and exposure to the contemporary political developments. Whatever opinions the two may have, the desire for independence is obvious in the heart of both the exile community and Tibetans inside Tibet. It looks more out of devotion to His Holiness that many Tibetans follow the Middle Way Approach.

The increasing frustrations among the Tibetan community did not go unnoticed by the Dalai Lama. In his 10 March Statement in 1994, the Dalai Lama said:

I must now recognise that my approach has failed to produce any progress either for substantive negotiations or in contributing to the overall improvement of the situation in Tibet. Moreover, I am conscious of the fact that a growing number of Tibetans both inside as well as outside Tibet have been disheartened by my conciliatory stand not to demand complete independence for Tibet. Because of

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<sup>362</sup> Interviews with 30 Tibetan newcomers conducted in Dharamsala and at the Tibetan Reception Centre in Nepal, July- August 2005. Ever since the present Nepalese Monarch took over the power, the relation between the Nepalese government and the Tibetan Government-in-Exile have become constrained which eventually led to the closure of the representative office of His Holiness the Dalai Lama in Kathmandu. This weakening of the relationship effected lives of many Tibetans living inside Nepal. There have been many cases of the Nepalese border police handing back the captured Tibetan escapees to the Chinese police. In an interview with Wangchuk Tsering, the former representative of the Dalai Lama in Kathmandu, the primary cause of all these changes is the increasing Chinese pressure on Nepal. I myself have noticed it when I traveled to Nepal this summer. The Nepalese Government has stopped recognising the travel document carried by the Tibetans living in India, which prevented me from flying into Nepal. I, therefore, had to travel by bus which took almost four days. Back in 1994 when I visited Nepal, I was able to fly with the Registration Certificate, a document issued for the Tibetan Refugees by the Indian Government. Though the Chinese pressure has induced a number of changes on the surface there exists a laxity in executing the changed policy which enabled me to travel to Nepal by bus.

my statements, some Tibetans have come to believe that there is no hope at all of the Tibetan people regaining their basic rights and freedoms. This and the lack of any concrete results from my conciliatory approach towards Chinese government over the past 14 years have caused disillusionment and undermined the resolve of some Tibetans.<sup>363</sup>

The Dalai Lama further said that, internationally his initiatives and proposals have been endorsed as realistic and reasonable by many governments, parliaments, and non governmental organisations. But despite the growing support of the international organisations, the Chinese government has not responded constructively. According to the Dalai Lama, he has “left no stone unturned” in his attempts to reach an understanding with the Chinese. He said that the Tibetans would have to place their hopes in international support, but said: “If this fails, then I will no longer be able to pursue this policy [of conciliation] with a clear conscience. I feel strongly that it would then be my responsibility, as I have stated many times in the past, to consult my people on the future course of our freedom struggle”.<sup>364</sup>

Due to the unprecedented criticisms of the Dalai Lama’s policy in resolving the Tibet issue, His Holiness suggested for a referendum in 1995 to clarify the political course of Tibetan struggle. For a year, the Kashag, the Assembly of Tibetan People’s Deputy (ATPD) and the Election Commission jointly organised various programs to educate the Tibetan people in all the exile communities about the forthcoming referendum. The Exile Tibetan Deputies on their annual visits to the various Tibetan settlements across India and Nepal gave talks about the proposed referendum and did the initial preparations. In Europe and America, the Deputies of the respective continents took similar initiatives.<sup>365</sup> Later in January 1997, the Kashag and ATPD jointly organised an extensive seminar on four of the options for the Tibetan struggle, which were the Middle Way, Independence, Self determination and the *Satya Graha* (the philosophy of non-violent resistance, the literal translation of the word in Tibetan is ‘truth insistence’). The panelists Lodi Gyari (His Holiness’ special envoy in the US) and Kelsang Gyalsten (His Holiness’ envoys in Europe) spoke on the Middle Way, former

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363 ‘10 March Statement 1998’, A. A. Shiromany, ed., *The political Philosophy of the His Holiness the XIV Dalai Lama: Selected Speeches and Writings*, pp. 458-462.

364 Ibid.

365 Interview with Ngawang Tsultrim, the secretary of the Assembly of Tibetan People’s Deputy, August 2005.

TYC Vice President Karma Yeshe, Karma Choephel, a deputy member, and Lhasang Tsering, a former President of TYC and the Director of Amnyen Machen Institute spoke on Independence, Kalon Tashi Wangdu (then a cabinet member) and Dawa Norbu, a professor at the Jawaharlal Nehru University in Delhi spoke on Self Determination, and Samdong Rinpoche (then the Deputy Chairman of the ATPD) spoke on *Satya Graha*. The seminar was attended by more than 250 members consisting of high ranking government officials, the representatives of the Dalai Lama in foreign countries, the deputy members, the heads of the regional Tibetan offices, the principals of the various Tibetan schools, heads of the regional Tibetan Freedom Movement and the representatives of the non-governmental organisations. The seminar lasted for three days.<sup>366</sup>

In 1997 a preliminary opinion poll was conducted in all the exile Tibetan communities to seek out any other options besides the four main choices. The outcome of the opinion poll showed that 64% of the Tibetan population felt that there was no need to hold a referendum, and that they would support the Middle Way approach and give the power to His Holiness to make the decisions according to the changing political climate in China and the world. Based on this result, the ATPD unanimously passed a resolution on 18 September 1997<sup>367</sup> to this effect. In a video released by the DIIR, the then Chairman of ATPD Prof. Samdong Rinpoche claimed that the opinions of the Tibetans inside Tibet were clandestinely collected. Due to its secretive nature it took longer time than expected to get all the information and the announcement of the result of the poll was delayed.<sup>368</sup> Thus the Exile Government asserts that the present government's policy represents the wishes of the majority of the Tibetans in and out of Tibet.

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366 *Sheja*, Ma v'ongs pai v'os sdu'i zab sbyongs dang 'zin skyong skor gal cha'i tsogs 'du gnang wa. (An Important Seminar on the Future Election [for referendum] and Administration, January 1997. I encountered problems acquiring the government documents on these events. When contacted the head of the Election Commission of the Exile Tibetan Government, I was informed that they don't have such materials kept in their official records. What I was able to procure were mainly from the newsletters and interview with the Secretary of Assembly of Tibetan People's Deputies and from individual sources. *Tibetan Bulletin*, July-August 1997, also carries articles on these four options for the referendum.

367 'An Excerpt from the Official Resolution no. 12/4/97/46 Passed by the Assembly of Tibetan People's Deputies', *The Middle-Way Approach: A Framework for Resolving the Issue of Tibet*, DIIR, CTA, Dharamsala, July 2005, p. 28.

368 Ibid., p. 36; *Middle Way Approach: A talk on Exile Tibetan Governments Future Policy by Prof. Samdong Rinpoche*, 11/4/ 2002, a video published by DIIR, Dharamsala, India.

In his March 10 statement of 1998, the Dalai Lama acknowledged the support of the Tibetan people and committed himself to pursue the Middle Way Approach.

Last year, we conducted an opinion poll of the Tibetans in exile and collected suggestions from Tibet wherever possible on the proposed referendum, by which the Tibetan people were to determine the future course of our freedom struggle to their full satisfaction. Based on the outcome of this poll and suggestions from Tibet, the Assembly of Tibetan People's Deputies, our parliament in exile, passed a resolution empowering me to continue to use my discretion on the matter without seeking recourse to a referendum. I wish to thank the people of Tibet for the tremendous trust, confidence and hope they place in me. I continue to believe that my 'Middle-Way Approach' is the most realistic and pragmatic course to resolve the issue of Tibet peacefully. This approach meets the vital needs of the Tibetan people while ensuring the unity and stability of the People's Republic of China. I will, therefore, continue to pursue this course of approach with full commitment and make earnest efforts to reach out to the Chinese leadership ..”<sup>369</sup>

Since then the Middle Way policy was thus adopted as the Exile Government's policy. Like in any democratic nation, criticism against this policy still exists in the Tibetan community. Proponents of independence are the main critics. They argue that the Dalai Lama's announcement of the Strasbourg Proposal is a mistake from the very beginning. Since that would inhibit people from making rational decisions as their devotions to His Holiness would influence their thoughts. Lhasang Tsering, one of the strongest proponents for the independence, thinks it was wrong for the Exile government to call for the referendum, since such a referendum would lack the opinion of the majority Tibetans living inside Tibet. He added that the non-violent struggle ascribed by the Middle Way policy is tantamount to non-action. He says:

My criticism about our government is that their present position is not worthy of the name “non-violence”. It is non-action. There is a big difference between the two. Sitting and hoping that the U.N. might do something, that the Chinese might change their minds is not non-violence. Non-violence is an active force. The

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369 *Sheja*, *Spyi nor gong sa skyabs mgon chen po mchog gis gsum chu' dus dran thengs sum chu so dgu thog bstsal bai' yongs khyab gsung 'phrin*, March 1998; '10 March Statement 1998', A. A. Shiromany, ed., *The political Philosophy of the His Holiness the XIV Dalai Lama: Selected Speeches and Writings*, pp. 458-462.



government should decide that our unchanging goal is only independence and give each of us a task. Then it will be real non-violence.<sup>370</sup>

According to Jamyang Norbu, the proposal was from the very beginning to garner public support for the Dalai Lama's Middle Way Approach. He wrote that the teams of the Tibetan Parliament members and government officials toured the Tibetan settlements and communities to announce terms of referendum and in the process they clearly stated that failure to vote for the Middle Way would be equivalent to showing disloyalty to the Dalai Lama. He further said that the promotion of the referendum proposal would further divide the Tibetan community and detract effort and resources from the real goal of struggling for Tibetan freedom. He is of the opinion that Tibetans should call for a referendum only when they have the required resources to ensure its success.<sup>371</sup>

Even in the TYC there are moderates who despite their continuous struggle for independence accept the existence of other approaches to resolve the contending issue. They feel that in a democratic system people are entitled to choose any viable solutions. Therefore the Dalai Lama's Middle Way Approach, regardless of relinquishing Tibet's independence, is tolerated. A former TYC executive member is of the view that so long as the approach is beneficial to the Tibetans, it does not matter what path one chooses. He gave the analogy of two railway tracks that lead to the same destination.<sup>372</sup> In a similar tone the current General Secretary of TYC Tsultrim Dorje claims that "the TYC is neither supporting nor opposing the Dalai Lama's Middle Way Approach. The approach is morally praiseworthy but it is not applicable to China who doesn't believe in moral values". However, he remarked that there is a growing frustration among the younger Tibetans. When asked about the scope of their operation, he said that he's not denying the TYC's connection inside Tibet.<sup>373</sup> Analysing the history of the TYC, it is evident that the Tibet issue is not likely to die with the passing away of the Dalai Lama. In fact the TYC might take an

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370 Lhasang Tsering, 'We Don't Have the Mandate to Change the Goal,' *Tibetan Bulletin*, DIIR, July-August 1997, pp. 17-19.

371 Jamyang Norbu, 'Return of the Referendum', 7 August 2000, <http://www.heartibet.org/Referendum/Guests/norbu.html>.

372 Personal Interview, August 2005. The person wants to remain anonymous.

373 Phone Interview with Tsultrim Dorje, the present General Secretary of the Tibetan Youth Congress, December 2005.

unprecedented course in its whole history. However, this interpretation is dependent upon the leadership's capability of the TYC and the political situation of the time.

In my opinion a major change is likely to occur in the Tibetan politics after the present Dalai Lama passes away. What now appears is that the Tibetans are torn between their devotion to the Dalai Lama and their desire for independence. For majority of Tibetans, due to their devotion and reverence to their leader, it is unthinkable to contradict the proposed policy of the Dalai Lama, but there is a growing frustration in the Tibetan community. The President of Regional TYC, New York branch, where the largest pocket of exile Tibetan lives outside of India, is of the same opinion that the Tibetan youths are feeling frustrated and restless about the present political state of Tibet<sup>374</sup> whereas Tenzin Sewu, the President of Regional TYC in Switzerland, in a much milder tone, claimed that he did not perceive prevalence of frustration among the second generation Tibetans in Switzerland. With a totally different standpoint Sewu asserted that the Regional TYC in Switzerland does not condone violence of any kind including self perpetrated forms.<sup>375</sup>

The self immolation of Thupten Ngodup and the six hunger strikers, who maintained fast for 49 days in an Unto Death Hunger-Strike in 1998, demonstrate the exile Tibetans commitment to their struggle for independence and their frustration for the lack of concrete results. In an earlier campaign in 1988, despite adamant refusal from the hunger strikers, the TYC called off their hunger strike campaign after the Dalai Lama sent a special message asking the sixteen participants to withdraw from fasting. Fearing that the Dalai Lama would make similar request again, in 1998 the TYC entreated His Holiness the Dalai Lama not to make appeal to stop the Unto Death Hunger Strike even before the campaign began. These incidences clearly indicate the emotional dilemma created by the Tibetans' devotion to the Dalai Lama and their political ideology. So far the TYC has conducted four such campaigns, the first of

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374 Since the USA has the largest number of exile Tibetans living there and Switzerland being the second, in order to obtaining their views of the Tibetans living in those places I interviewed the Presidents of the Regional Youth Congress based in those two countries. Interview with Tenzin Kalden, December 2005. The President of the Regional TYC, New York branch, holds similar views with that of the Central Tibetan Youth Congress, India.

375 Interview with Tenzin Sewu, the President of the Regional TYC, Switzerland, December 2005.

which was launched in 1974,<sup>376</sup> but all the campaigns ended either on the Dalai Lama's persuasion or by verbal assurances from the UN.<sup>377</sup>

The TYC's Unto Death Hunger Strike and the self-immolation of Thupten Ngodup in 1998 had grabbed the International media's attention and prompted several Western Parliaments to pass resolutions on Tibet. Soon after the abrupt and forcible termination of the Hunger Strike by the Indian Police the European Parliament taking into account the actions of the six desperate Tibetans, passed a resolution on Tibet on 13 May 1998<sup>378</sup> calling on its Council and Commission to take steps to ensure the appointment of a special UN rapporteur on Tibet and to include without delay the Tibetan question on the next UN General Assembly Agenda. The resolution further called on the Chinese Government to open political negotiations with the Dalai Lama about the future of Tibet. The Parliament also endorsed the request made by 1,300 parliamentarians to the UN Secretary General that he meets with the Dalai Lama as a step of UN mediation between the Chinese Government and the Tibetan Government-in-Exile.<sup>379</sup> The Hunger Strike also won sympathy and solidarity of the Australian Senate which expressed its concern for the fate of the six hunger strikers.<sup>380</sup> The issue of the hunger strikers was also raised in various parliaments around the world

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376 In 1974, a hunger strike campaign was conducted against the Bhutanese government for their unjust persecution of Tibetan refugees in Bhutan. This campaign was not an unto death hunger strike and it was organised in cooperation with other Tibetan NGOs.

377 Till now the TYC has conducted four Unto Death Hunger Strikes. The first in 1988 with 16 participants including an Indian youth, in New Delhi, the Second in 1998 with 6 participants in the first batch, in New Delhi, the third was a continuation of the second Unto Death Hunger Strike with 3 participants in Geneva, Switzerland and the fourth in 2004 with 3 participants in New York. I tried to obtain direct information from the Central TYC office in Dharamsala, however, probably, due to office policy the TYC did not provide me with the information on the number of participants. But from what I heard from other sources more than 100 hundred people signed up for the 1998 hunger strike and 20 people in the 1990 hunger strike. I feel it necessary to report here the difficulty that I encountered in procuring information from this organisation. Several of my emails requesting for information went unanswered and the ones that were answered contained only sketchy information. My phone calls were answered with promises which were not delivered. I could not fathom the exact reasons for such behavior but am assuming that it has to do with office policy. After a number of emails and phone calls the Secretary of the TYC gave me an interview and also provided some of the requested information which I am very appreciative of.

378 In the Official European Parliament Journal, the date of the resolution is listed as 'Resolution on Tibet, B4-0511, 0537 and 0538/98, 14/05/1998'. <http://www.mann-europa.de/tibet/resolutionen/140598-en.pdf>, I have used Thomas Mann's website for quoting the resolution passed in the European Parliament on Tibet. Thomas Mann is a member of the European Parliament and the present President of Tibet inter-group in the European Parliament.

379 Ibid.; DIIR, 'In a Joint Motion for a Resolution on Human Rights in Tibet', *International Resolutions and Recognitions on Tibet: 1959 to 2004*, p. 63.

380 DIIR, 'Australian Senate, Canberra-7 April, 1998,' *International Resolutions and Recognitions on Tibet: 1959 to 2004*, p. 209.

including the British, Swedish, Norwegian and Luxembourg parliaments. Vigorous support was promised by many nations including Government of Poland, the USA, Hungary and most specifically from Norway and Costa Rica who gave assurances that they would take up the issue of Tibet at bilateral talks that they were going to have with China.<sup>381</sup>

Such actions also made some Chinese scholars such as Wang Lixiong, a Han Chinese historian and an intellectual, to view the Tibetan Youth Congress as a political force to be reckoned with and warned the possibility of TYC gaining support in the time of the Dalai Lama's death and taking control of the exile community. "If the 14<sup>th</sup> Dalai Lama is unable to settle the Tibet matter in his lifetime, his death will leave the Tibetan exiles leaderless, which will likely land them in internal disorder and low morale. In the worst case, forces such as the "Tibetan Youth Congress" are quite likely to consequently dominate the exiled Tibetans, which will sharply increase the violence and destruction," writes Lixiong in 'The People's Republic of China's 21<sup>st</sup> Century Underbelly'.<sup>382</sup> In an interview with Palden Gyatso, a 73 year old ex political prisoner who had spent 33 years in Chinese prison, he says, "We will of course follow His Holiness directives but living in a democratic country we have the right to choose what policy to adopt according to the needs of the time if the present policy did not yield any results". He further stated that his demand for independence was the reason for his initial arrest and long imprisonment. "After spending more than 33 years in prison how can I forget the last words of the prison mates who died struggling for Independence," he rhetorically asked.<sup>383</sup> Such views are shared by more and more younger Tibetans in exile. A good example of a Tibetan youth who despite his strong faith in His Holiness yet disagrees with his policy is the activist Tenzin Tsundue. Although Tsundue speaks with great respect for the Dalai Lama, he differs on the goal and the method of their struggle. In an interview he had said, "The Dalai Lama

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381 *Rangzen* (Official journal of the Tibetan Youth Congress), 'Unto Death Hunger Strike', 16 May 1998, [http://www.rangzen.org/archive/98/03\\_march/strike/516a.html](http://www.rangzen.org/archive/98/03_march/strike/516a.html).

382 Wang Lixiong, 'The People's Republic of China 21<sup>st</sup> Century Underbelly', *Zhanlue Yu Guanli*, 2 January 1999, translated by BBC Monitoring Service, published in the *BBC Summary of World Broadcasts*, *SWB FE/D3525/G*, 4 May 1999. The article can be also viewed at: <http://www.columbia.edu/itc/ealac/barnett/pdfs/link14-wang-lixiong.pdf>.

383 Phone interview with Palden Gyatso during his latest tour of the US in the fall of 2005. Palden Gyatso has written an autobiographical account of his long struggle under the Communist rule in Tibet in *Fire Under the Snow*. Ever since his escape to India he has given numerous testimonies in many Western Parliaments and also at the UN Commission on Human Rights.

advocates autonomy for Tibet under Chinese rule. He is more accommodating; he looks for mutual benefits. But I and others want a clear statement. What we want is independence from China”.<sup>384</sup>

Although the present Tibetan Government-in-Exile continues with the Middle Way Approach, it is too early to say what the future stand on Tibet would be. The Dalai Lama himself has reiterated that in a democratic system of government people have the right to hold on to their beliefs and he thinks there is always a possibility for a change. He said, “My generation has now almost all gone. When the old generation is no longer around, things could get easier and could also become more difficult... If the youth organisations should resort to violence, I would resign”.<sup>385</sup> The constant public statements of the Dalai Lama on resigning from the Tibetan politics if Tibetans resort to violence is what Tibetans fear the most. Since the TYC which struggles for independence has left its option for violence open, the fear of losing His Holiness’s leadership restrains many Tibetans to call for independence, although independence was what majority Tibetans inside and outside Tibet struggled for before the announcement of the Strasbourg Proposal in 1988. When asked about the existing Tibetan youth’s frustration about the non-violent Middle Way approach, the Dalai Lama answered, “Yes, it is a healthy sign. On a few occasions, youths who are a little militant come and argue with me, but I remain stubborn. They start crying (laughter). They love the Dalai Lama, but the Dalai Lama does not agree with their viewpoint, so they finally end up crying”.<sup>386</sup>

#### **2.4.5. Panchen Lama Controversy**

The unexpected death of the 10<sup>th</sup> Panchen Lama<sup>387</sup> in Shigatse in January 1989 was a major loss to both China and Tibet. For the Chinese, the late Panchen Lama was a

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384 Stephen Coan, ‘Tenzin Tsundue: Merging Political Activism and Writing, *Phayul*, 18 October 2005,

<http://www.phayul.com/news/article.aspx?id=10962&t=1>.

385 Zhang Lifan, ‘Dalai Lama: Holding Out Hope’, 4 February 2003, (BBC Chinese Service), <http://news.bbc.co.uk/2/hi/asia-pacific/2723395.stm>.

386 ‘Violence and Non-Violence’, A. A. Shiromany, ed., *The political Philosophy of the His Holiness the XIV Dalai Lama: Selected Speeches and Writings*, pp. 250-253.

387 There were rumours of the 10<sup>th</sup> Panchen Lama being poisoned but the exact cause of his death is still unknown. The Chinese claim that the Panchen suffered heart attack which eventually caused his death but Tibetans were highly suspicious of the Chinese claim as the Panchen Lama had delivered an anti-Chinese government speech just three days before he passed away. In an interview on the death of 10<sup>th</sup> Panchen Lama, Zoratto Bruno asked His Holiness the Dalai Lama whether the

political tool in maintaining stability in Tibet but for the Tibetans, he was the second highest spiritual leader and a great source of inspiration. Thus his death was a big blow to both parties. Moreover, this brought about another major contradiction between the Chinese government and the Exile Tibetan Government over the right to choose the next Panchen Lama. China claims that the Chinese government has overseen the selection of the Panchen Lama since the Qing Dynasty choosing a lot from a golden urn system established during the Qing period. Contrarily, the Tibetans argue that the selection of Panchen is purely a religious matter. Thereafter, the two parties made their own announcements regarding the process of selecting the next Lama. In February 1989, Premier Li Peng announced that China would not tolerate any outside interference, indicating that the Dalai Lama's involvement is not acceptable.<sup>388</sup> Prior to that, the Dalai Lama and his Exile government made numerous statements claiming the right to choose the next Panchen Lama. The Exile government emphatically stated that traditionally only the Dalai Lama has the right to recognise the reincarnation of the Panchen Lama. This is also acknowledged by the Chinese historian Ya Hanzhang in his *Biographies of the Tibetan Spiritual Leaders Panchen Erdenis*. He writes, "By Tibetan tradition a reincarnation of the Panchen could not be religiously legal without the Dalai's recognition, and the same was the case with the Dalai".<sup>389</sup>

Initially the Chinese Government showed leniency in conducting the search for the next Panchen. Chatral Rinpoche, the head of the official Chinese Committee responsible for the search of the reincarnation of the 10<sup>th</sup> Panchen Lama met the Dalai Lama's brother Gyalo Thondup and Sonam Topgyal (a former chief cabinet member)

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Tibetan Government has any plans of setting up a commission to investigate the mysterious death of the late Panchen Lama. The Dalai Lama replied that there was no plan for that but for religious reasons he wanted to give a Kalachakra Initiation in Tibet, because of the special connection the Panchen lineage has with Kalachakra, which would require at least 15 ritual assistance to accompany him. He requested for Chinese permission to allow them to go to Tibet and perform the initiation which the Panchen lineage has a especial connection. He said that the Chinese agreed to allow only 3 persons, with which it is not possible to perform the Kalachakra. He added, "In clear text we (Tibetans) didn't get the permission". Zoratto Bruno, "Inferno Tibet. Gespräch mit dem Dalai Lama, Friedensnobelpreisträger 1989," Anita Tykve Verlag, Büblingen, 2. Auflage 1990, pp. 133-134. The Interview was conducted in April 1989 in Dharamsala.

388 Tsering Shakya, 'Panchen Lama – The Analysis', *World Tibet Network News*, 16 May 1995, [http://www.tibet.ca/en/newsroom/wtn/archive/old?y=1995&m=5&p=16\\_1](http://www.tibet.ca/en/newsroom/wtn/archive/old?y=1995&m=5&p=16_1).

389 Ya Hanzhang, *Biographies of the Tibetan Spiritual Leaders Panchen Erdenis*, (translated by Chen Guansheng and Li Peizhu), Beijing: Foreign Language Press, 1994, p. 350.

when they visited Beijing in 1993.<sup>390</sup> It is known that Chatral Rinpoche had sent a letter through them to the Dalai Lama seeking his assistance for searching the new Panchen Lama. On 5<sup>th</sup> August of the same year, the Dalai Lama responded by inviting Chatral Rinpoche and the other members of the search party to visit India for a discussion, which the Chinese refused<sup>391</sup>. China may have doubted this act of the Dalai Lama as a hidden ploy in unilaterally recognising the new Panchen Lama, which they feared would hamper China's legitimacy over Tibet. This resulted in the termination of the formal contact between the Dalai Lama and the search party. But the communication between the two parties went on clandestinely.<sup>392</sup> It is widely believed, and indeed the Chinese themselves claimed, that the official search party had submitted a list of candidates for the Dalai Lama's approval, an act which contravened the Chinese instructions.

On 14 May 1995, the Dalai Lama from his headquarter in Dharamsala, announced Gendun Choekyi Nyima, a boy from Nagchu in north-west Tibet, as the reincarnation of the 10<sup>th</sup> Panchen Lama. China furiously denounced<sup>393</sup> the Dalai Lama's action as "unlawful and invalid" claiming that the right to choose the Panchen Lama lay exclusively with the Chinese Government. Just few days after the Dalai Lama's announcement the boy identified by him as the 11<sup>th</sup> Panchen Lama and his family disappeared. Despite repeated appeals from the United Nations and various International organisations, including the human rights organisations, China refuses to reveal the details of the boy and his family, and till date their whereabouts remain unknown to the world. The Chinese Government claimed that the boy is under the government supervision for his own safety. The abduction of Gedun Choekyi Nyima at the age of six made him the world's youngest political prisoner. While the overwhelming majority of Tibetan Buddhists recognise the boy identified by the Dalai

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390 Isabel Hilton, *The Search for the Panchen Lama*, New York: W. W. Norton & Company, 2000, p. 209. According to the author the meeting between Gyalo Thondup, Sonam Topgyal and Chadrel Rinpoche took place on 17 July 1993 in Beijing under the watchful eye of a Chinese official from the United Front who spoke good Tibetan. At the meeting Chatral brought a request for the Dalai Lama's assistance and prayers in the search and handed them a letter for the Dalai Lama.

391 Ibid., p. 211.

392 Gilles Van Grasdorff, *Hostage of Beijing: the Abduction of the Panchen Lama*, Boston: Elements Books, Inc., 1999, p. 193. Gilles Van Grasdorff writes, "According to the Chinese authorities, the latter [Chadrel Lama] had taken advantage of his responsibilities as superior of Tashilhunpo and chairman of the search committee appointed by Beijing to delay the proceedings and, in particular, to hand secretly to the Dalai Lama the list of candidates for the succession of the Panchen Lama".

393 'Tibet to Seize Opportunity for Speeded Development', *People's Daily*, 10 March 2000, <http://english.people.com.cn/english/200003/10/eng20000310N102.html>.

Lama as the true reincarnation of the Panchen Lama, Tibetans in Tibet claimed that they were forced to sign statements pledging allegiance to the boy selected by the Chinese Government.<sup>394</sup>

Chatral Rinpoche, was arrested on 17 May 1995 and imprisoned for six years for “conspiring to split the country” and “leaking state secrets”. Chinese authorities named him as a collaborator in the Dalai Lama’s plot to split the country through the choice of the new Panchen Lama.<sup>395</sup> According to an information received from Tibet by the Tibetan Center for Human Rights and Democracy (TCHRD), Chatral Rinpoche is under house arrest in an isolated resort (Chinese: *dujian cun*) south of Dib military camp (Tib translit: *sGrib dMag Khang*) in Lhasa. Despite his release in January 2002, the Chinese officials have not confirmed his whereabouts. They continue to state that Chatral Rinpoche is practicing Buddhist rituals in seclusion. Since his arrest in 1995 no one has seen him. For almost six months, no response came from the Chinese authorities. The Dalai Lama’s unilateral announcement had created a dilemma. The acceptance of the Dalai Lama’s choice could be perceived as an endorsement of the Dalai Lama’s authority over the Tibetan Buddhism. Therefore, China saw it more advantageous to denounce the Dalai Lama’s choice and recognise their own Panchen Lama to demonstrate China’s past and present claims of sovereignty over Tibet. After several months of deliberations, the Chinese authority came out with their own selection of Gyaltzen Norbu as the reincarnation of the 10<sup>th</sup> Panchen Lama. Tibetans viewed this as an attempt by the Chinese to circumvent the Dalai Lama’s authority. Currently, there are two Panchen Lamas, one claimed by the Dalai Lama and the other by China. While the boy who has the reverence and devotion of the Tibetan people remains invisible the Chinese picked boy lacks the support of the Tibetans.

It is apparently not the Dalai Lama’s involvement that angered the Chinese, as they allowed the search party to contact the Dalai Lama at the initial stage of the search.

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394 ‘State Department Report on Human Rights, 1998’, According to the report, “Tibetan monks have claimed that they were forced to sign statements pledging allegiance to the boy the Government selected as the reincarnation of the Panchen Lama”.

<http://www.savetibet.org/tibet/us/reports/humanrights1998.php>.

395 The first statement acknowledging that there had been unnamed persons of responsibility at Tashi Lhunpo monastery who had collaborated illegally with the “Dalai Clique” appeared in *Tibet Daily* on 4 November 1995, as stated in *Cutting off the Serpent’s Head: Tightening Control in Tibet, 1994-1995*, Tibet Information Network/Human Rights Watch-Asia, New York, 1996, p. 63.



But the failure of the Dalai Lama to seek their approval was considered as a challenge to their final authority and therefore, the legitimacy of Chinese authority over Tibet. China could have applied the same method to the Panchen's case as they did with the Karmapa, who was discovered by the exile members of his sect in Gangtok, Sikkim, approved by the Dalai Lama and later accepted by China. But they didn't. Why was then China so upset? Is it because the Panchen Lama was recognised by the Dalai Lama, who the Tibetans claim as their leader or is it because they foresee the importance of the Panchen Lama during the Dalai Lama's absence? Whatever the hidden agenda the Chinese may have, in the Buddhist tradition it is essential that a reincarnation receives trainings from an early age. The boy identified by the Dalai Lama, who is under house arrest, is not being trained in the traditional way, which is of major concern to the Tibetans. Due to the restriction imposed, the Tibetans in Tibet cannot possess the picture of Gedun Choekyi Nyima. Vijay Kranti, an Indian journalist during his visit to Tibet in 2002, noticed that the boy claimed by the Chinese lacked the support of the Tibetans. He writes, "While no Tibetan would dare display a photo of the Dalai Lama or Gedhun Choekyi Nyima, the photos of the Chinese sponsored Gyaltzen Norbu too are conspicuously absent from shops, small bakeries, restaurants and even poster shops that dot each street in Tibetan cities. The Tibet people, instead, display big portraits of the late 10th Panchen Lama, which sends rather clear statement to be misunderstood".<sup>396</sup>

Melvyn Goldstein, a Tibetologist at the Case Western Reserve University and Co-Director, Center for Research on Tibet, writes in his book *The Snow Lion and the Dragon*, that decision to preemptively announce the reincarnation of the Panchen Lama was politically inastute. While saying this I think Goldstein fails to consider the traditional Buddhist system of consulting divination in deciding the day of announcement for high lamas such as Panchen Lama. The Dalai Lama stated clearly in an official press release why that particular date was chosen for the announcement. Tenpa Tsering, the Secretary of the DIIR, said, "On 13 May 1995, a final divination was performed to determine whether it was appropriate to declare the recognition of the reincarnation of Panchen Rinpoche on the fifteenth of the third month of the Tibetan Lunar calendar (which corresponded to 14 May 1995) or to postpone it for

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<sup>396</sup> Vijay Kranti, 'How Tibetans Make a Statement: An inside look at how Tibetans in Tibet show their allegiance in Tibet today', *Tibetan Bulletin*, Vol. 6, Issue 3, July-September 2002.

some time. The divination indicated that it would be better to declare it on the fifteenth as proposed”.<sup>397</sup> Thinking entirely from the political aspect, Goldstein’s argument appears plausible but the issue involved not merely politics. The essentiality of consulting divination in Tibetan Buddhist tradition can be seen in many historical precedents. A good example was, in 1959 when the whole Tibetan nation was overwhelmed by Chinese invasion, the Dalai Lama consulted the Nechung Oracle and performed divination to decide whether to stay or escape. Both the oracle’s prophecy and the divination discouraged him from escaping. Then on 17<sup>th</sup> March, the Dalai Lama consulted the Nechung Oracle again, wherein the oracle told him to leave right away. Following this guidance, His Holiness made his escape that very night. In his memoir the Dalai Lama writes:

The following day, I again sought the counsel of the oracle. To my astonishment, he shouted, ‘Go! Go! Tonight!’ The medium, still in his trance, then staggered forward and, snatching up some paper and pen, wrote down, quite clearly and explicitly, the route that I should take out of the Norbulinga, down to the last Tibetan town on the Indian border.<sup>398</sup>

Examining the above mentioned events, one can infer the significance of the prophecies and divinations in determining the fate of the Tibetan nation. Even at such a crucial time when the whole nation was in chaos the Dalai Lama did not overlook the need to consult the state oracle. Also the historical evidences cannot be ignored, which show that the development of Panchen Lama’s institution began with the fifth Dalai Lama. I, therefore, think Goldstein’s argument fails to consider the Buddhist norms and sentiments. Instead he has politicised even the issues relating primarily to Tibetan religious matters.

The denouncement of Gedun Choekyi Nyima by the Chinese authority created an irreconcilable gap between the two parties. From the outset China is aware that in religious matters the Dalai Lama’s authority was universally accepted and that any attempt to challenge his spiritual prestige would provoke protest from the Tibetans. Nevertheless, China opted to overlook the ancient Tibetan Buddhist tradition. It is

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397 ‘The Panchen Lama’s Recognition Process’, Dharamasala, 15 June 1995,

<http://www.tibet.com/PL/june15d.html>.

398 The 14<sup>th</sup> Dalai Lama *Freedom in Exile: The Autobiography of His Holiness the Dalai Lama*, p. 149.

obvious from the recent Chinese announcements that China plans to use the picked boy in selecting the next Dalai Lama. The Chinese authority has declared that the selection of the next Dalai Lama would be performed through the “Golden Urn” system. *Xinhua News Agency* quoted Ragdi, the No. 2 leader of the Tibet branch of China’s Communist Party, as saying that the reincarnation of the Dalai Lama would be chosen according to “historical customs and religious rituals” and would then be confirmed “after being ratified by the central Chinese government”.<sup>399</sup> To forestall such complications, the Dalai Lama has reiterated in many public statements that his reincarnation would be born outside China. In 1999, the Dalai Lama told *Indian Express* that “should people prefer the old system of choosing a reincarnation -- then Dalai Lama’s reincarnation will appear in a free country, and not in Chinese hand as the purpose of a reincarnation is to carry the work started by the previous life and yet not fulfilled”. “Logically,” he further adds, “the previous life escaped from Chinese hands so the next life should also be out of Chinese control”.<sup>400</sup>

Another major suspicion China has is that the activities of the Dalai Lama are in collusion with the West’s attempts to challenge the Communist Party’s legitimacy.

The Dalai intensified his activities and was busy running about, lobbying with a view to internationalising the Tibet problem. The West, in turn, schemed and plotted for and brought the Dalai clique with cash in an attempt to use the Tibet problem as a breakthrough point for containing, weakening, disturbing, and splitting China. Therefore, on the issue of the Panchen’s child reincarnation, our struggle, but also an important field in our struggle against hostile forces in the West. This struggle is unavoidable; it will take place sooner or later.<sup>401</sup>

It is clear from the announcement made on *Lhasa Radio* on 3 November that China would never compromise its position over the selection of high incarnates. According to Warren W. Smith, a Research Historian for *Radio Free Asia* in Washington, DC,

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399 ‘China wants to choose the next Dalai Lama’, CNN, 9 August 2001’, <http://archives.cnn.com/2001/WORLD/asiapcf/east/08/09/dalai.china/>.

400 ‘Dalai Lama’s reincarnation will not be found under Chinese control’, *Indian Express*, 6 July 1999, <http://www.tibet.com/DL/next-reincarnation.html>.

401 “How Did the Dalai Clique Sabotage the Work of the 10<sup>th</sup> Panchen’s Reincarnation?,” *Lhasa Radio*, 3 November 1995, in *FBIS-CHI-95-223*, 20 quoted in Warren W. Smith, *Tibetan Nation: A History of Tibetan Nationalism and Sino-Tibetan Relations*, Boulder, Colorado: Westview Press, 1996, p. 653.

China has no intention of making up with the Dalai Lama. He writes, “China’s disregard for the political capital they might have gained by manipulation of a popularly accepted Panchen Lama demonstrates that the Chinese Government was intent upon confrontation with the Dalai Lama at any cost”.<sup>402</sup> Moreover, the PRC’s campaign which began in 1996 to elicit statements from foreign states revealed China’s true intention regarding Tibet. *Washington Post* reported that Boris Yeltsin was the first foreign leader to make such statement when he recognised that Taiwan and Tibet were “inseparable” and “inalienable” part of China, in exchange for the PRC’s recognition of Chechnya as an internal affair of Russia.<sup>403</sup>

From the current contention between the two protagonists over the Panchen Lama it is likely that there would appear two Dalai Lamas when the present Dalai Lama passes away in exile.<sup>404</sup> In doing so China must not forget that their claimed Dalai Lama would lack the support of the Tibetans. It is up to China whether to respect the Tibetan Buddhist tradition or to politicise the Tibetan religious issue by picking a boy to challenge the Tibetan religious institution. The present Chinese campaign to eradicate the Dalai Lama’s influence in Tibetan religion and politics could cause huge repercussions with violent protest from every part of Tibet. The continuous Chinese intolerance of the Tibetan religion led to further imposition of restrictions on the religious freedom in Tibet, specially aimed at the Buddhist institutions. Tibetan cadres and religious figures were compelled to denounce the Dalai Lama’s interference in the Panchen’s recognition,<sup>405</sup> to show their loyalty towards the Communist Party. China

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402 Warren W. Smith, *Tibetan Nation: A History of Tibetan Nationalism and Sino-Tibetan Relations*, p. 653.

403 ‘China, Russia Swap Support, Sign Array of Agreements’, *Washington Post*, 26 April 1996.

404 From an official document of Research and Analysis Center, Security Department, Central Tibetan Administration containing Phuntsok Wangye’s letter to Hu Jintao dated 12 April, 2005. (Thereafter this letter will be referred to as Phuntsok Wangye’s letter to Hu Jintao dated 12 April, 2005). Phuntsok Wangye in his letter to Hu Jintao pointed out the possibility of appearing two Dalai Lamas like that of the Panchen Lama if Beijing does not take the opportunity of resolving the Tibet issue during the lifetime of the present Dalai Lama. Phuntsok Wangye was the first Tibetan who launched Communism in Tibet and worked with the Chinese Communist Party. He was a witness to the Seventeen Point Agreement signed in 1951 and also translator for the Dalai Lama during his meetings with Mao in 1954. In the 1950s, Phuntok Wangye was the highest-ranking Tibetan official within the Communist Party in Tibet. Though he is an ardent Communist his deep commitment to the welfare of Tibetans made him a target of the Chinese Communist counter-revolutionary accusations and was labeled as a “local nationalist,” which led him to imprisonment and solitary confinement in the early 1960s for eighteen years. A full account of his life can be read in his autobiography, *A Tibetan Revolutionary: The Political Life and Times of Bapa Phüntok Wangye*, by Melvyn C. Goldstein et al., CA: University of California Press, 2004.

405 Robert Barnett, ‘Paper Presented at the History of Tibet Seminar, St Andrew’s University,

in their drive to weaken the strong religious hold in Tibet makes patriotism a mandatory requirement to practice religion freely: “A qualified believer should, first of all be a patriot. Any legitimate religion invariably makes patriotism the primary requirement for believers”.<sup>406</sup> After years of protest from the Exile Tibetan Government and the Tibetan Support Groups worldwide, and queries from the UNHCR and numerous Western nations, China has still has not disclosed Panchen’s whereabouts. At one time rumour circulated that the Panchen might have died in Chinese custody, however this rumour could not been substantiated by any evidence. The following year China adopted stern measures by prohibiting Tibetans from possessing the Dalai Lama’s picture; in Lhasa house searches were conducted to confiscate the Dalai Lama’s picture. These actions escalated the worsening of the religious suppression in Tibet which I will touch on more in the next chapter.

#### **2.4.6. Flight of the Karmapa Lama in Exile**

Since the demonstration and riots of 1987 to 1989, China’s State control over the monasteries in Tibet increased manifold. It reached the height of its severity in 1994, when the Third Work Forum on Tibet identified the “Dalai clique” as the “root of Tibet’s instability” and defined the struggle against the Dalai Lama and his clique as a contradiction between “us and an enemy”.<sup>407</sup> A passage from a document of the Sixth Enlarged Plenary Session of the Standing Committee states:

**As the saying goes, to kill a serpent, one must first cut off its head.**

**The struggle between ourselves and the Dalai clique is not a matter of religious belief nor a matter of the question of autonomy, it is a matter of securing the unity of our country and opposing splittism. It is a matter of antagonistic contradiction with the enemy, and it represents the concentrated form of the class struggle in Tibet at the present time. This struggle is the continuing struggle between ourselves and the imperialists since they invaded Tibet a hundred years ago. We must safeguard the achievements of the democratic reforms and of the Open Reform Policy. As long as Dalai does not change his splittist standpoint, we have nothing else to**

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Scotland, August 2001.

406 ‘Why China Picked Its Own Panchen Lama’, *Tibetan Review*, January 1996, p. 5.

407 ‘Document No.5 of the Sixth Enlarged Plenary Session of the Standing Committee [of the Fourth Congress of the Tibet Autonomous Regional Branch of the Chinese Communist Party]’, excerpted in Appendix C of *Cutting the Serpent’s Head*, TIN/HRW-Asia, p. 150.

do but to continue this struggle right up till the time we achieve victory.

**The guidelines and principles of our struggle against the Dalai clique are these: we must persevere [in stating] that Tibet is a part of China and by holding this banner high and clear, we must wage a tit-for-tat struggle against them. We must prepare for a long-term struggle, but at the same time, according to our present situation, we must work hard and grasp things well. Work in our region must be done seriously, and the international struggle must also be solved well. In this argument we should hit the nail on the head, and make more foreign friends in order to smash the Dalai clique into pieces.** The Central Committee's policy towards Dalai is this: If Dalai admits that Tibet is a part of China and is inseparable from China, if he changes his mind and gives up Tibet being independent, and stops all his splittist actions to divide the motherland, then we welcome him back to the motherland from exile as soon as possible. But he cannot claim independence, semi-independence or independence in a disguised form. On the question of safeguarding the unification of the motherland there is nothing to bargain about.<sup>408</sup>

The Tibet Work Forum of 1994 identified the Tibetan religious centers as the vanguard of the disturbances in Tibet and therefore adopted stricter measures against the religious community to undermine the Dalai Lama's influence. More restrictions were imposed on the monks and nuns. The Standing Committee of the Sixth Plenary Session went on to state:

**This wind of building monasteries and of recruiting new monks and nuns just as they wish should be stopped entirely. In future to build a new monastery, permission must be received from the Religious Affairs Bureau of the TAR. No monastery is allowed to be built without its permission. Those monasteries where the numbers of monks have already been set still need to be limited as much as possible, and are not allowed to go beyond that limit. The excess monks should be expelled, and those monasteries which have not set a stipulated number of monks and nuns should set a number as soon as possible.**<sup>409</sup>

Furthermore, the announcement of the 11<sup>th</sup> Panchen by the Exiled Leader added more

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408 Ibid., p. 156. The sentences in bold are omitted from the public version of Document No.5 of the Sixth Enlarged Plenary Session of the Standing Committee.

409 Ibid., p. 158.

fuel to the Chinese wrath. The dispute over the Panchen reincarnation led to the Chinese Government's implementation of loyalty test for the Tibetan cadres and the religious figures. The test required them to denounce the Dalai Lama's interference in the Panchen Lama's recognition, accept the Chinese selected Panchen Lama and reject the Dalai Lama's choice. Phagpalha Geleg Namgyal, a senior religious figure and Chairman of the TAR branch of the Chinese People's Political Consultative Conference (CPPCC), issued a dire warning that all the CPPCC members irrespective of their ranks and statuses should make it a point to condemn the Dalai Lama both orally and in writing that would clearly indicate their political dispositions.<sup>410</sup> The CPPCC attempted to make patriotism to China as a requirement for freedom to practice religion.<sup>411</sup>

The announcement of the Third Work Forum forced the government officials to dispossess pictures of the Dalai Lama and other religious objects. In April 1996 an announcement was made banning the public display of photographs of the Dalai Lama as "part of an escalating effort to remove the Dalai Lama from his dominant position in Tibetan Buddhism". The announcement condemned the Dalai Lama as being "no longer a religious leader who can bring happiness to the masses but a guilty person of the motherland and the people".<sup>412</sup> The photographs of the Dalai Lama were removed from monasteries, temples, and other public areas. In May 1996, in certain areas, the campaign even reached private houses where it was enforced by conducting house searches.<sup>413</sup>

The successive failures of their initial attempts to suppress the religious communities made China realise the exigency of harsher campaigns to purge the religious beliefs and suppress the religious institutions. Therefore, in 1996 the TAR Communist Party announced a "patriotic education campaign" in the monasteries. According to a transcript obtained by TIN, Chen Kuiyuan, the Party Secretary of the TAR, in his address to the members of the Tibet People's Congress on 14 May said, "There are

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410 Speech to the 11th Meeting of the Standing Committee of the TAR Committee of the CPPCC, Tibet Television, 24 November, 1995; SWB, November 28, 1995. See also 'Anti-Abbot Campaign Begins, Aims to Eliminate Dalai Lama Influence', *TIN News Update*, 5 December 1995.

411 'Why China Picked Its Own Panchen,' *Tibetan Review*, January 1996, p.5.

412 'Dalai Lama Photographs Banned from Monasteries-Dalai Lama no Longer a Religious Leader', *TIN News Update*, 29 April 1996.

413 'House to House Searches for Photographs Begin', *TIN News Update*, 21 May 1996.

few die-hard reactionaries in the monasteries who are hell-bent on following the Dalai Lama... In order to beat the splittist and sabotage activities of the Dalai Clique and protect the normal religious life of the masses of religious devotees, we must carry out a carefully differentiated rectification of the monasteries within our region".<sup>414</sup> To execute the previously instituted regulations higher level work teams were initially sent to the three major monasteries—Gaden, Sera and Drepung. The work teams conducted months long re-education program in the monasteries, including the task of registering and deregistering of the monks.<sup>415</sup>

The adopted regulation was met with fierce resistance from the religious communities. There are ample instances where monks refused to obey the Party edict. Protests broke out in the three major monasteries, and the demonstrators were given prison sentences.<sup>416</sup> Despite these protests, the Chinese authorities did not hesitate to extend this restriction throughout the TAR.<sup>417</sup> Various plans were drawn up to re-organise monasteries and "establish a normal order," to eliminate strongholds for splittist activities and to retain the leadership power in the hands of patriotic and law-abiding monks. These initiatives were to be implemented in all the monasteries under the guise of patriotic education campaign. Ragdi, the second highest Tibetan official in the TAR, said, "In the light of the actual security situation in the region, we shall conduct a patriotic education campaign among all monasteries and temples in the region".<sup>418</sup>

The re-education campaign is carried out by work teams consisting of personnel from the Public Security Bureau. They visit the religious centres and instruct the monks and nuns on six main topics viz. the history of Tibet, crushing the separatists, contemporary policies, policies on religion, law, and ethics for the masses. In the

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414 '1,000 Monks Face Expulsion in Lhasa Re-education Drive', *TIN News Update*, 15 August 1996.

415 'Re-education Campaign Extended to all Tibet Region', *TIN News Update*, 7 September 1996.

416 'Tourist Account of Monks' Protest, Police Search for Photographs', *TIN News Update*, 24 May 1996; '13 Year Old Arrested at Gaden; Monk Dies from Bullet Wounds', *TIN News Update*, 12 June 1996; 'Re-education Drive: Sera Monks Issue Statement – Arrest Rise to 13', *TIN News Update*, 18 September 1996; 'Expulsions, Arrests, Death Reported During Re-education Drive', *TIN News Update*, 27 November 1996. This Update contains the resistance of Drepung monks against the re-education campaign launched by the CPPCC; 'Crime on the Increase in Tibet', *TIN News Update*, 23 June 1997. The above mentioned Updates give clear accounts of the Tibetan Buddhist centers' strong disapproval to the new regulation adopted by the Chinese authorities.

417 'Re-education Campaign Extended to all Tibet Region', *TIN News Update*, 7 September 1996.

418 SWB FE/2732 G/4, 2 Oct. 1996, as quoted in *Tibet: Human Right's and the Rule of Law*, International Commission of Jurists, p. 291.



course of their training sessions, the work teams examine and expel those whom they consider as unpatriotic. Further the clergy members are forced to take a five-point loyalty test which includes “a statement regarding the historical unity of Tibet and China, a denunciation of the Dalai Lama, and the recognition of the Chinese appointed Panchen Lama”.<sup>419</sup> The Democratic Management Committees which manages the monasteries’ affairs since late 1950s were given the task to carry out the regulations set up by the work teams. Other restrictive measures were introduced such as setting age limitations for the admission of monks and nuns and enforcing a mandatory retirement age of 65 years. Later the campaign was extended to the lay communities and by 1998 it was further extended to Qinghai, Sichuan and Gansu provinces, Tibetan areas outside the TAR. In early 1996, another campaign was launched. The “Strike Hard” campaign which was first initiated in China in 1983 to fight against domestic crime was used as a political weapon to crush the Tibetan nationalists in Tibet. The campaign targeted former political prisoners, Tibetan monks and nuns, involving intensive ‘patriotic re-education’ sessions and strict controls within the monasteries and nunneries. It has resulted in 2,827 expulsions, 165 arrests, nine deaths and 35 voluntarily leaving their monasteries and nunneries.<sup>420</sup> In essence the Strike Hard campaign continued the re-education program which the Chinese government claimed to have closed in year 2000.

Thus religious restrictions were carried out in whole of the TAR and in the Tibetan areas outside the TAR, regardless of the monasteries involvement in the uprisings after 1959. Tsurpu monastery, the main seat of the Karma Kagyu Lineage (one of the four Tibetan Buddhist Schools), located in Toelung Dechen, the county of Lhasa municipality which had no records of any involvement in political activities was not spared from the campaign. Prior to 1959 the Tsurpu monastery is said to have more than 500 monks but currently there are around 300 monks living there. According to a monk who knows the monastery intimately, during the three-year campaign, about 30

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419 Oral Statement made by Norzin Dolma on behalf of International Fellowship of Reconciliation at the 61<sup>st</sup> Session of the UN Commission on Human rights, 1 April 2005. <http://www.unpo.org/article.php?id=2253> The newcomers that I interviewed in Nepal and India informed me that the monks are restricted from reciting *Long Life Prayer for the Dalai Lama* and the prayer composed by His Holiness titled *The Words of Truth*.

420 ‘Religious Persecution “Through Patriotic Re-education,”’ <http://www.tibet.com/Humanrights/HumanRights97/hr97-1.html> ; Annual Report 1997- *China in Tibet: Striking Hard Against Human Rights*, Tibetan Center for Human Rights and Democracy, Dharamsala, 1997. [http://www.tchrd.org/publications/hr\\_updates/1997/hr19971231.html](http://www.tchrd.org/publications/hr_updates/1997/hr19971231.html)

monks were expelled from the Tsurpu monastery, due to the applied age limitation.<sup>421</sup> Although Karmapa Ogyen Trinley Dorje<sup>422</sup> himself did not have to go through the re-education program directly, the authorities in Lhasa sent teachers to instruct Karmapa on Chinese language. The monk said, “It is hard to say what intentions the authorities had as the Karmapa’s flight took place soon thereafter”.<sup>423</sup> However, his dramatic flight, which *Time* magazine termed as the most significant flight, to India in December 1999 demonstrates how critical the situation in Tibet was then. From exile in India, the Karmapa recalled in his biography, *Music in the Sky: The Life, Art and Teachings of the 17<sup>th</sup> Karmapa Ogyen Trinley Dorje*, the reasons for leaving Tibet. “The main reasons were to receive the necessary teachings and benefit the Dharma and, further, to return to Rumtek<sup>424</sup> and meet with my disciples abroad,” he said.<sup>425</sup> In several public statements, the Karmapa also stated that he left because of controls on his movements and the refusal either to allow him to go to India to be trained by his spiritual mentors or to allow his mentors to come to him. Although the Karmapa had given mainly religious reasons for his flight it was clear that China’s policy of repression in Tibet and their intention to use him in politics were major factors. *The Guardian* quoted him saying that he “came to suspect that there might have been a plan to use [him] to separate the people within Tibet from His Holiness the Dalai Lama,” and that he had been given “very special treatment”<sup>426</sup> by the communist regime, and had even been whisked to Beijing twice. In his biography he states that,

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421 The age limitation was said to enhance providing minors with modern education, which is not given in the monasteries, by making them attend schools. The authorities are of the view that minors cannot make their own decisions due to their young age.

422 Karmapa Orgyen Trinley Dorje is recognised by his disciples as the reincarnation of the 16<sup>th</sup> Karmapa who passed away in exile in 1981. The new Karmapa, born in Tibet, was approved by His Holiness the Dalai Lama as the reincarnation of the previous Karmapa and was also accepted by the Beijing authorities. The process of recognising reincarnation in Tibet first began with the second Karmapa. Presently the Karmapa lives in Himachal Pradesh, India and seeks permission from the Indian government to visit Rumtek, head seat of the 16<sup>th</sup> Karmapa, but till now India has not granted permission to visit that sensitive area.

423 Phone interview. This person, who is well informed of the incidences surrounding Karmapa’s escape, wants to remain anonymous due to his fear that it might result in serious attacks on the monastery and his acquaintances in Tibet.

424 Rumtek is a Tibetan Buddhist monastery, belonging to Kargyu school of Tibetan Buddhism, located in Sikkim, India. It was originally built by the 9<sup>th</sup> Karmapa in 1740 and later rebuilt by the 16<sup>th</sup> Karmapa after he came into exile and is now the main seat of Karmapa Kargyu in exile.

425 Author’s interview with the Karmapa on 8 June 2002 recorded in *Music in the Sky: The Life, Art and Teachings of the 17<sup>th</sup> Karmapa Ogyen Trinley Dorje*, Michele Martin, New York: Snow Lion publication, 2003, p. 93.

426 Luke Harding, ‘Daring escape of the Karmapa’, *The Guardian*, 28 April 2001. The account is also stated in his biography *Music in the Sky: The Life, Art and Teachings of the 17<sup>th</sup> Karmapa Ogyen Trinley Dorje*, by Michele Martin, p. 45.  
<http://www.guardian.co.uk/international/story/0,3604,479790,00.html>

“two unidentified Chinese men with knives were found hiding under a blanket in the library, which had a door leading to the Karmapa’s quarters,”<sup>427</sup> Some people speculate that this incidence could be a reason for his flight to India.

In the wake of the Karmapa’s defection the Chinese authorities restricted access to Tsurphu monastery and increased patriotic education activities there. TIN reported that the three monks who were on duty the night of escape were arrested and interrogated and the Karmapa’s parents were placed under surveillance. According to a TIN’s report, in January 2001 the conditions at Tsurphu remain tense, with a permanent police presence and intensified restrictions on monks that appear to be aimed at discouraging them from following their spiritual teacher into exile. The TIN further reported that no new monks were being permitted to join the monastery. The Karmapa’s flight to India caused a huge embarrassment for the Chinese leaders who always claim that Tibet has religious freedom. The China’s strategy to use high level lamas in implementing government policies and to undermine the Dalai Lama’s influence over the Tibetan populace suffered a major setback when the Karmapa left Tibet. Less than two years ago another leading lama, Argya Rinpoche, who was based at the Kumbum monastery in Qinghai, a province of Western China largely populated by ethnic Tibetans, also escaped and is now in the West.

Examining the Chinese policies of the mid 1990s it is apparent that China has no intention of resolving the Tibet issue. By targeting the Tibetan religious institutions and clergy members China is displaying its determination to eradicate the very root of Tibetan strength, its religion and people’s faith in the Dalai Lama who according to China is the splittist of the mainland. Yet it is obvious from the strategy employed by the Chinese government that they are not willing to compromise on Tibet since they think the solution to that problem seems finally within its grasp. While the Chinese profess to be ready at any time to allow the Dalai Lama to return unconditionally, China engages in all kinds of acts to eradicate the Dalai Lama’s political influence, as well as religious. But the question is how can China succeed in removing Tibet’s problems by destroying its religion? Can China sever the strong bond that has been forged between the Dalai Lamas and the Tibetan people over many centuries? Isn’t

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427 *Music in the Sky: The Life, Art and Teachings of the 17<sup>th</sup> Karmapa Ogyen Trinley Dorje*, p. 73.

China's current policy of forcing Tibetans—especially monks and nuns—to denounce His Holiness the Dalai Lama and pledge loyalty to the Chinese Communist Party counterproductive? Phuntsok Wangyal, an ardent Tibetan Communist who held important positions in the Communist Government especially during the Chinese takeover of Tibet in the 1950s, recently in April 2005 wrote a letter to Hu Jintao urging the Communist leaders to reconsider China's religious policy inside Tibet. He wrote that the escape of the two leading lamas Argya Rinpoche and Karmapa Lama are big losses to the mainland by stating that Buddhism is rooted deeply in the lives of Tibetan people and the high lamas play a very significant and influential role in their social and religious lives.<sup>428</sup> However, it is up to Beijing to consider whether the Dalai Lama is a solution or a problem.

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428 Phuntsok Wangye's letter to Hu Jintao dated 12 April 2005.

## Chapter 5 Tibet in the International Arena

### 2.5.1. International Response to the Dalai Lama's Future Tibet Policy

The awarding of the Nobel Peace Prize to the Dalai Lama on 10 December 1989 generated a new wave of interest in the International community on the Tibet issue. The International opinion which was then characterised by unquestioning acceptance of the Chinese version of reality about Tibet underwent a big change in favour of Tibetan exiles. Moreover, the Dalai Lama's Strasbourg Proposal, which de-emphasised the Tibetan nationalistic demand for independence, was well received by the international community and garnered much support for his proposal. The fact that the Cultural Revolution in Tibet had caused irreparable damage to the Tibetans' cultural heritage, the ruthless suppression of the Lhasa uprisings from 1987-1989 and the Tiananmen massacre in 1989 exposed the CCP's atrociousness, and brought to light Tibetan tragedy to the outside world. Consequently, the Tibetan exiles and the Chinese supporters for democracy in China gained international support and solidarity.

Even before the announcement of the Strasbourg Proposal there were some western countries who had attempted to raise the Tibet issue in their parliaments since 1960s. Petra Kelly's written question lodged in the Bundestag (Lower House), asking the German Government to clarify its stance on the Tibetan issue,<sup>429</sup> indicated the growing support for the Tibetans. The issue received similar interests in the United States. For instance on 24 July 1985, ninety-one members<sup>430</sup> of the US Congress signed a letter to Chinese President Li Xiannian asking him to initiate direct talks with the Dalai Lama and on 18 June 1987, the US House of Representative approved an amendment attached to the State Department's spending authorisation's bill, accusing China of its military invasion of Tibet which had led to the death of over 1,000,000 Tibetans and caused political instability, and human rights abuses in Tibet. This

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429 Tsewang Norbu, 'The Green Party Raises The Issue of Tibet in the West-German Parliament' *Tibetan Review* 1986, vol. 21, no. 8, pp. 8-10.

430 Tibet Justice Center, *Legal Materials on Tibet*, 'Foreign Relations Authorization Act for Fiscal Year 1988-89, Washington, DC'. 2<sup>nd</sup> edition, CA: Berkeley, May 1997, p. 248. The book contains a comprehensive collection of United Nations resolutions and reports, national and regional governmental resolutions and reports from non-governmental organisations. Also included are Tibetan treaties and relevant Tibetan proposals and statements, as well as Chinese documents on Tibet. The Tibet Justice Center was established in California in 1989 as the International Committee of Lawyers for Tibet.

amendment after further revision was passed by the US House of Representatives and Senate and was affixed to the US Foreign Relations Authorisation Act Fiscal Year 1988-1989. According to Guangqiu Xu “the Senate’s version was even stronger, requiring the President to determine that China was easing human rights abuses in Tibet before any arms sales to China could be approved. It also implied that Tibet ought to be an independent state”.<sup>431</sup>

This growing international support despite its gradual beginning gained momentum after the Dalai Lama’s announcement of the Five Point Plan and the Strasbourg Proposal. As I go through the international responses to the Dalai Lama’s proposed solution in greater detail, we will see how the Tibet issue, which was once sidetracked and neglected during the Cold War, re-appeared in the international political arena.

#### **2.5.1.1 Responses in the United States**

Two years after the first US Congressional support in 1985, the United States once again embraced the Tibet cause by approving the Foreign Relations Authorization Act for Fiscal Years 1988 and 1989 by President Ronald Reagan on 22 December 1987. The Foreign Relation Authorization Act of 1988 and 1989 states: 1) “The United States should make the treatment of the Tibetan people an important factor in its conduct of relations with the People’s Republic of China” (B, pt.2); 2) “should urge the Government of People’s Republic of China to actively reciprocate the Dalai Lama’s efforts to establish a constructive dialogue on the future of Tibet” (B, pt.4); and 3) “should urge the People’s Republic of China to release all political prisoners in Tibet” (B, pt. 8). The US Government was directed to consider the PRC’s treatment of Tibetans, with respect to transfer of any defence articles or defence services to the PRC, and to provide “Migration and Refugee assistance” to the displaced Tibetans should the Secretary of State makes a positive determination “whether the needs of the displaced Tibetans are similar to those of displaced person and refugees in other parts of the world”. The Act also established a program of providing no less than 15

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431 Guangqiu Xu, ‘The United States and the Tibet Issue’, *Asian Survey*, Vol. 37, November 1997, p. 1067; *Congressional Quarterly Almanac*, Vol. XLIII, Congressional Quarterly Inc., Washington, DC, 1988, p. 154. *Congressional Quarterly Almanac* contained a brief report on the Pell-Helms amendment (Senator Claiborne Pell and Senator Jesse Helms) which condemned China’s violation of human rights abuses in Tibet and which required “that any notices to Congress of U.S. arms sales to China be accompanied by a statement that China was acting in good faith to resolve human-rights issues in Tibet”.

scholarships to the Tibetans who are outside Tibet to study in the US.<sup>432</sup>

This theme is repeated in a few other resolutions in the US Congress. The 16 September, 1988 resolution (S. Con. Res. 129) commends the Dalai Lama's Strasbourg proposal in his quest for peace, and calls upon Beijing to "respond positively to the new proposal and enter into earnest discussions with the Dalai Lama, or his representatives to resolve the question of Tibet along the lines proposed by the Dalai Lama".<sup>433</sup> This resolution also calls on the President and the Secretary of State to express the US Government's support for the Dalai Lama's Strasbourg proposal and "to use their best efforts to persuade the leaders and the government of the People's Republic of China to enter into discussions with the Dalai Lama or his representatives, regarding the proposal of the Dalai Lama and the question of Tibet. Again on 15 March 1989, a resolution (S. Res. 82) passed in the US Senate urges the administration to propose that a United Nations observer team monitor the situation in Tibet (pt. 5), urges that United States to make the treatment of the Tibetan people an important factor in its conduct of relations with the People's Republic of China (pt.6) and calls upon the Government of People's Republic of China to meet with the representatives of the Dalai Lama to begin initiating constructive dialogue on the future of Tibet (pt. 9).<sup>434</sup> In that same year, a second resolution (H. Con. Res. 63) was passed by the US House of Congress, condemning the use of excessive and lethal force by the Chinese authorities in Tibet against the peaceful demonstrators and states, "Consistent with section of 1243 of Public Law 100-204, urges the President to continue to make respect for human rights (including the treatment of Tibetans) an important factor in the United States conduct of relations with the People's Republic of China," (pt. 5).<sup>435</sup> The importance shown towards the Tibet issue by the US legislature is reflected in the resolutions passed by the US Congress and Senate wherein attempts were made to highlight the Tibet issue as an important factor in the US's relation with China. In all the above mentioned resolutions—S. Con Res. 129,

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432 'Foreign Relations Authorization Act for Fiscal Year 1988-89, in *Legal Materials on Tibet*, p. 248; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 155-160.

433 'Congressional Resolution S. Con. Res.129,' in *Legal Materials on Tibet*, p. 251; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 87-89.

434 'Congressional Resolution S. Res. 82', in *Legal Materials on Tibet*, p. 253; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 90-92.

435 'Congressional Resolution H. Con. Res. 63,' in *Legal Materials on Tibet*, p. 255; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 93-94.

1988 (pt. 4), S. Res. 82, 1989 (pt. 6 and 7), H. Con. Res. 63, 1989 (pt. 5 and 6)—the US legislature had urged the US Government to make the treatment of the Tibetan people an important factor in its relations with the People’s Republic of China and called on the executive branch to address and call the violations of human rights in Tibet. The resolutions condemn the deaths of the Tibetans, occurred as a consequence of Chinese occupation of Tibet in 1950 and the continuing religious and cultural persecution in Tibet. Moreover, a Senate joint Resolution 275 in 1990 authorised the President to designate 13 May 1990 as the “National Day in support of Freedom and Human Rights in China and Tibet”.<sup>436</sup>

Despite Washington’s numerous initiatives urging China to negotiate with the Dalai Lama, the PRC paid no heed, which according to Dawa Norbu led to the Washington’s toughened stand on Tibet *vis-a-vis* China. Norbu further states, “The American message to the PRC seems to be this: ‘either negotiate with the Dalai Lama for autonomy or we will support the Tibetan struggle for freedom’”.<sup>437</sup> In the 18 April 1991 resolution (S. Res. 107) the US Senate resolved that “as the Tibetan people and His Holiness the Dalai Lama of Tibet go forward on their journey towards freedom the Congress and the people of the United States stand with them” (pt. b); and “it is the sense of the Senate that all Americans are united on the goals of freedom and human rights for Tibet” (pt. c). This resolution further declared the US recognition of Tibet’s independence by citing the International Commission of Jurists’ Report which states, “Tibet demonstrated from 1913 to 1950 the conditions of statehood as generally accepted under international law”.<sup>438</sup> On 28 October 1991 both the Senate and the House of Representatives passed the most important legal statement on Tibet. The Foreign Relations Authorisation Acts for Fiscal Year 1992 and 1993 (Public Law 102-138, [H.R. 1415]), approved by President Bush on 28 October 1991, declared that “Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu and Qinghai, is an occupied country under the established principles of international law (pt.1); Tibet’s true representatives are the Dalai Lama and the Tibetan Government-in-Exile as recognised by the Tibetan people” (pt.2); and finally calls for Tibetan people’s right to self-determination by recalling that “numerous

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436 DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 96.

437 Dawa Norbu, *China’s Tibet Policy*, p. 275.

438 DIIR, ‘S. Res. 107, 18 April 1991’, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 100-101.



United States declarations since the Chinese invasion have recognised Tibet's right to self-determination and the illegality of Chinese occupation of Tibet" (pt.7).<sup>439</sup> A similar but milder form of this statement was made in the section A4 of the Foreign Relations Authorisation Act for Fiscal Year 1988 and 1989, Public Law 100-204 (1987), which accepts that beginning October 7, 1950, the Chinese Communist army invaded and occupied Tibet.

In most of the US Congress resolutions and in public laws, the condemnation of human rights violations in Tibet and support for Tibetan human rights appeared prominently. For instance the 18 March 1992 resolution (S. Res. 271) resolved that "the United States Government should vigorously condemn Beijing's human rights abuses in occupied Tibet in all appropriate international forums" (pt. 2); and "the United States Government should raise human rights abuses in Tibet with senior officials of the People's Republic of China," (pt. 3).<sup>440</sup> A year later, on 27 May the House of Representatives resolved (H. Con. Res. 106, 1993) to urge the President to raise "at the highest levels of the Government of the People's Republic of China, the issue of Chinese population transfer into Tibet in an effort to bring about an immediate end to that government's policy on this issue".<sup>441</sup> Then again on 13 December 1995, a Senate Joint Resolution 43 "urges the Government of the People's Republic of China to respect the wishes of the Tibetan people by supporting the selection of the new Panchen Lama by His Holiness the Dalai Lama" (pt. 2); "work to ensure the safety of the new Panchen Lama as selected by the Dalai Lama" (pt.3); and calls for the US government to "sponsor and aggressively push for the passage of a resolution regarding the human rights situation in China at the annual meeting of the United Nations Human Rights Commission in Geneva scheduled for March 1996" (pt. 4).<sup>442</sup> On 11 March 1997 a resolution (S. Res. 19) was passed calling on China for the immediate and unconditional release of Ngawang Choephel<sup>443</sup> and other prisoners of

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439 'Foreign Relation Authorisation Act for Fiscal Years 1992 and 1993,' in *Legal Materials on Tibet*, p. 258; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 165-166.

440 'Senate Resolution 271, [March, 1992],' in *Legal Materials on Tibet*, p. 259; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 104-106.

441 DIIR, 'H. Con. Res. 106, 27 May 1993', *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp.107-108.

442 'Congressional Resolution S. J. Res. 43', in *Legal Materials on Tibet*, p. 285; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 114-117.

443 Mr. Ngawang Choephel, a 34-year-old Tibetan musician and ethnomusicologist, whose family fled Chinese oppression to live in exile in India in 1968, was detained in August 1995 by the Chinese

conscience in Tibet and urged the US Government to take prompt action to sponsor and promote a resolution that specifically addresses political prisoners and negotiations with the Dalai Lama at the United Nations Commissions on Human Rights regarding China and Tibet.<sup>444</sup>

In 1998, four resolutions were passed in the US Congress, including the May 22 resolution (H. Con. Res. 283) and the September 17 resolution (S. Con. Res.103). In the first resolution the Congress made an important move by calling on the President, as a central objective of the 1998 presidential summit meeting with Jiang Zemin in Beijing, to work toward securing an agreement to begin substantive negotiations between the Government of the People's Republic of China and the Dalai Lama or his representatives (pt. 5) and called on the PRC to release the 9-year-old Panchen Lama from detention (pt. 4).<sup>445</sup> The September 17 resolution carried Congress' grave concern over the findings of the International Commission of Jurists report on Tibet, December 1997, which declared that "in 1997, the People's Republic of China labeled the Tibetan Buddhist culture, which has flourished in Tibet since the seventh century, as a 'foreign culture' in order to facilitate indoctrination of Tibetans in Chinese socialist ideology and the process of national and cultural extermination". The same resolution supported the recommendations made by the Report which calls on the PRC to enter into discussion with the Dalai Lama or his representatives, to end practices such as transfer of Chinese people into Tibet which threaten to destroy the distinct cultural, religious and national identity of the Tibetan people. It, furthermore, called on the President to continue his effort to secure agreement to initiate substantive negotiations the between the PRC and the Dalai Lama (pt. 6).<sup>446</sup> Two similar resolutions were also passed, one in February 1999<sup>447</sup> expressing the sense of the Senate regarding the human rights situation in the People's Republic of China and

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authorities while working on a film project about traditional Tibetan performing arts as a student of Middlebury College in Vermont, USA. He was held incommunicado for over a year before he was charged of espionage in October 1996 and sentenced to 18 years in prison. Eye witness report indicated that he was beaten and tortured while in the prison. The Chinese authorities could not provide with any incriminating evidence against Mr. Choephel. He was released on medical ground after six years of imprisonment due to strong international pressure.

444 'Congressional Resolution S. Res. 19, (1997),' in *Legal Materials on Tibet*, p. 288; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 118-121.

445 DIIR, 'H. Con. Res. 283', *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 127-130.

446 Ibid., 'S. Con. Res. 103, 17 September 1998', pp. 131-134.

447 Ibid., 'S. Res. 45, 12 February, 1999', pp. 135-136.

the other in March 2000<sup>448</sup> urging that the 10 March 2000 be recognised as the Tibetan Day of Commemoration in solemn remembrance of the Tibetans who died during the Lhasa uprisings and in affirmation of the inherent rights of the Tibetan people to determine their own future (pt. 1).

In terms of material assistance the Americans for the first time openly allocated not less than 30 scholarships to Tibetan students and professionals who are outside Tibet (Sec. 225, a) as approved in the Public law 101-246 (16 February, 1990);<sup>449</sup> the Public law 101-513 (5 November 1990) provided \$500,000 to Tibetan refugees<sup>450</sup>; the Public law 102-391 (6 October 1992) provided \$1,500,000 to the Tibetan refugees<sup>451</sup> and the Public law 103-87 (10 June 1993) provided \$ 2,000,000 assistance for the Tibetan refugees.<sup>452</sup> In 1990, the Public law 101-649 (29 November) granted 1,000 immigrant visas to qualified displaced Tibetans in India and Nepal.<sup>453</sup> Two radio services in Tibetan language, Voice of America and Radio Free Asia, were launched on 25 March 1991<sup>454</sup> and 2 December 1996<sup>455</sup> respectively following the directives of the Congressional Resolutions.<sup>456</sup> On 31 October 1997, a Special Envoy for Tibet was appointed following the Foreign Relations Authorisation Act for fiscal Years 1996 and 1997.<sup>457</sup> The Special Envoy who shall have the personal rank of ambassador and has the special functions of promoting substantive negotiations between the Dalai Lama or his representatives and senior members of the Government of the People's Republic of China, good relations between the Dalai Lama and his representatives and the United States Government, including meeting with the members of the Tibetan Exile

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448 Ibid., 'S. Res. 60, 9 March, 2000', pp. 137-139.

449 Ibid., 'Public Law 101-246 H. R. 3792, 16 February 1990', p. 162.

450 Ibid., 'Public Law 101-513, 5 November 1990', p. 163.

451 Ibid., 'Public Law 102-391, 6 October 1992', p. 167.

452 Ibid., 'Public Law 103-87, 10 June 1993', p. 168.

453 Ibid., 'Public Law 101-649, 29 November 1990', p. 164.

454 Historical highlights of Voice of America can be read at this website.

<http://www.voa.gov/textonly.cfm?tableName=tblVOAHistory&articleID=10008&sectiontitle=VOA%20History&textonly=1>

455 'Different voices: the Media in Tibet,' *TIN*, 3 May 2000,

<http://www.freerepublic.com/forum/a398254452d57.htm#america>.

456 DIIR, 'Foreign Relations Authorisation Act for Fiscal Years 1990 and 1991, 16 February 1990', *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 161-162. This resolution contains directive to launch the Voice of American radio service for Tibetan language and 'Foreign Relations Authorisation Act for Fiscal Years 1994 and 1995, 25 April 1994' contains directive to launch the Radio Free Asia for Tibetan language, pp. 169-176.

457 Ibid., 'Foreign Relations Authorisation Act for Fiscal Years 1996 and 1997, 8 March 1996', pp. 177-184.

Government.<sup>458</sup> Gregory B. Craig was appointed as the first Special Envoy for Tibet. Presently the post is held by Paula J. Dobriansky.

Observing the resolutions I have mentioned, it is apparent that the American public support for Tibet's cause has developed over the past several decades. But this must not be interpreted as unanimous support of the US State Department. Although the US State Department shares similar views with that of the US Congress on the issue of human rights violations in Tibet, on Tibet's political issue their views differ considerably. However, the consistent Congress support on Tibet issue remains ineffectual and overshadowed by the extensive economic interest the US government has in China. As long as China's dominating market continues to attract the investment from the big Western companies, the political issue of Tibet would always take the back seat. As Dawa Norbu states, "In such cold calculations, political and economic interest are paramount and human interest issues like Tibet are peripheral".<sup>459</sup> Even though the American public, represented by the Congress, show solidarity to the Tibetans, no concrete outcome in resolving the Tibet issue has resulted from the numerous resolutions because of the Executive Branch's reluctance to anger China. Different Presidents of the United States have handled the Tibet Question differently based on their political agenda, the geopolitical structure of the world and the administration's relation with the Beijing government.

Examining the past 63 years of US- Tibet relationship, it is clear that the United States' stand on Tibet issue has shifted from time to time depending on the changing geopolitical climate of the world and the US policy towards China. Given the fact that the US contended for Tibet's independence and expressed support for it in 1949, 1961, and 1991, the Sino-US détente that led to the freezing of US –Tibet relation in the early 1970s–mid 1980s displayed the unpredictability of the US policy on Tibet. Therefore, the future American stand towards Tibet will be determined by Sino-US relations and its policy towards China. In the next section I will discuss how the Tibet issue is received in the European Community.

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458 Ibid., p. 177.

459 Dawa Norbu, *China's Tibet Policy*, p. 277.

### 2.5.1.2 Responses in the European Community

The Dalai Lama's future Tibet policy was well received by the European community as well. In this section we will observe that most of the resolutions passed on Tibet in the European Parliament also addressed the Tibet's human rights issue but the political question of Tibet did not go unnoticed. In the beginning resolutions, the European Communities' stand on the Tibet issue appears weak but with passage of time it started to take firmer stand. The 14 October 1987 resolution<sup>460</sup> expressed its concerns over the Tibet matter by especially focusing on the ongoing human rights abuses by the Chinese authorities in Tibet. The resolution urged the Chinese government to respect the rights of the Tibetans to religious freedom and cultural autonomy (pt.1) and to consider the Dalai Lama's Five Point Peace Plan which the Parliament viewed could form a genuine basis of a settlement (pt. 2). And this theme was repeated in resolutions of 1988 (Council of Europe Written Declaration No. 173, ADOC5960.R, October 21),<sup>461</sup> 1989 (European Parliament Resolution on Human Rights in Tibet, March 15)<sup>462</sup> and 1991 (European Parliament resolution on human rights in China and Tibet, September).<sup>463</sup>

In addition to the previous mentioned issues the Parliament did not overlook important matters such as the genuineness of political authority granted to the Tibet Autonomous Region, the massive Chinese population transfer to Tibet, the Chinese military presence in Tibet and the Tibetan peoples' right to self-determination. For instance the 15 December 1992 European Parliament Motion on Tibet<sup>464</sup> acknowledged the insufficiency of the legal autonomy presently granted to the Tibet

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460 I used Thomas Mann's official website which contains the resolutions on Tibet passed in the European Parliament. Thomas Mann, a member of the European Parliament and President of the Tibet Intergroup in the European Parliament, has used the Official Journal of the European Communities as the source of these materials. *Official Journal of European Communities*, 'Resolution on the situation in Tibet, 15 October 1987', No C 305/114, 16.11.87. <http://www.mann-europa.de/tibet/resolutionen/151087-en.pdf>. The dates of the resolutions in the *Official Journal of the European Communities* are a day later than other sources such as the DIIR source and the Tibet Justice Centers.

461 'Council of Europe Written Declaration No. 173 on the Situation in Tibet (1988)', in *Legal Materials on Tibet*, p. 295.

462 Ibid., p. 296; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, p. 9; *Official Journal of the European Communities*, No C 96/140, 16 March 1989, [http://www.mann-europa.de/tibet\\_resolutionen.php](http://www.mann-europa.de/tibet_resolutionen.php)

463 'European Parliament Resolution on human Rights in China and Tibet, September 1991', in *Legal Materials on Tibet*, p. 297; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 11-12.

464 'European Parliament Motion on Tibet, 1992', in *Legal Materials on Tibet*, p. 298; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 14-20.

Autonomous Region (TAR) by the Chinese Government and regretted that even this limited autonomy exists only in “law but not in fact” (pt. E). The motion called for the Tibetan people’s right to self-determination (pt. B) and had supported the Dalai Lama’s demand<sup>465</sup> for the reunification of whole of ethnic Tibetan areas by noting that most of the Tibetan population live outside the TAR and that the fate of these people must also be taken into account (pt. N). It further called on the Chinese government to immediately reverse the policies that encourage the mass transfer of Chinese to Tibet which violate the Tibetan people’s right to self-determination (pt. 5). This point implies the right of the Tibetan people to decide democratically on levels and patterns of immigration. The motion expressed extreme concern over the continued military occupation of Tibet by Chinese troops and reported deployment of Chinese nuclear missiles in Tibet (pt. J).

Although the European Communities’ initial support towards the Tibet issue was mild compared to the US Congress’ but it reached a new platform in 1993 when the European Parliament passed the 24 June resolution<sup>466</sup> which officially expressed deep regrets for cancelling the Dalai Lama’s planned address to the United Nations World Conference on Human Rights in Vienna as a result of Chinese pressure (pt. 7). This resolution called for an economic development policy which benefits Tibetans rather than stimulating the influx of Chinese into Tibet (pt. 9). It further called on the EC Ambassadors to China to draw up an in-depth report on their visit to Tibet and to forward this report to the European Parliament (pt. 4). The resolution called for a resumption of talks between the Dalai Lama and the Beijing Government and to seek

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465 The call for reunification was a major demand made by the Dalai Lama in many of his proposals including the Strasbourg Proposal, 1988, which declared, “The whole of Tibet known as Cholkasum (U-Tsang, Kham and Amdo) should become a self-governing democratic political entity founded on law by agreement of the people for the common good ..”. Even the previous exploratory teams of 1982 and 1984 put forward the same demand. However it was not acceptable to the Chinese Government and it still remains a major issue of contention between the two protagonists. The recent talks which resumed in 2002 between the Chinese government and the Exile Tibetan delegations, even after four rounds of talks, could not come to a satisfactory agreement on this point. I can see the gravity of this demand from both perspectives, as for Tibetans this demand pertains to a fundamental issue since a large portion of staffs and leaderships in the Exile Tibetan Government are from those contended areas and many newcomers from those regions that I have interviewed in Nepal and India have their total loyalty towards the Dalai Lama and look for his leadership. Thus it becomes morally hard for the Dalai Lama to ignore their plight. As for the Chinese government such a reunification would be “administratively impossible” since the combined area of the Inner Tibet and the Outer Tibet is so vast.

466 ‘European Parliament Resolution on Repression in Tibet, June 1993’, in *Legal Materials on Tibet*, p. 302; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 24-26.

a genuinely autonomous solution for Tibet (pt. 10). That same year in September another resolution<sup>467</sup> was passed which for the first time associated the human rights issue in Tibet with the European Communities' economic and commercial ties with the PRC, which declared that the economic relation between the two parties would depend upon the Chinese government's respect for human rights in Tibet and in China in general (pt. 3).

It is interesting to note the subtle change in the way the European Parliament identifies the representatives of the Dalai Lama. For instance in the resolutions passed since the early 1990s the European Parliament has started using the phrase Tibetan Government-in-Exile instead of the Dalai Lama's representatives wherever relevant. Although it is beyond my research topic to say what the implications of such changes in recognising the exile community would mean, nonetheless, I find it note-worthy considering the fact that any nation has been reluctant and sceptical in employing such phrases in their official documents. In the following resolutions we would see that the European Parliament had used the phrase "Tibetan Government-in-Exile" when referring to the exile Tibetan community which was previously termed as "the representative of the Dalai Lama". The 17 May 1995 resolution urged the Foreign Ministers of the Member States and the Commission to call for a substantive dialogue between the Tibetan Government-in-Exile and the Chinese Government, without preconditions, in order to find a constructive solution to the situation in Tibet (pt. 8), asserted the Tibetans' rights to self-determination as contained in the international law and the UN Covenants on Civil and Political Rights (pt. E) and called on its Commission to make the granting of aid to China conditional on respect for fundamental human rights and freedoms, particularly in Tibet (pt. 6). It further called on its Commission to recognise that the Panam Project<sup>468</sup> was a part of PRC's scheme to feed the new Chinese settlers in Tibet and therefore goes against the interest of the

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467 Both in *Legal Materials on Tibet*, 'European Parliament Resolution on Detention of Tibetans, 16 September 1993', p. 304 and *Official Journal of the European Communities*, 'Resolution on the detention of the Tibetans Gendun Rinchen, Lobsang Yontam and Damchoe Pemo and other violation of human rights in Tibet, No.C268/145', the date is given 16 September 1993. But *International Resolutions and Recognitions on Tibet: 1959 to 2004*, the resolution was passed on 15 September 1993, p. 27.

468 'European Parliament Resolution on 4<sup>th</sup> World Conference on Women, 17 May,' in *Legal Materials on Tibet*, p. 306; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 29-32; *Official Journal of the European Communities*, 'Resolution on Tibet, B4-0768 and 0826/95, 18/05/1995'.

local Tibetan people by encouraging the settlement of Chinese citizens in Tibet and forcing the economic integration of Tibet into China (pt.1).

Despite its initial mild support for the Dalai Lama and the Tibet issue, the European Community in 1995 passed a few resolutions which can be considered as earnestly supporting resolutions. The resolution of 13 July 1995<sup>469</sup> reaffirmed the illegal nature of the Chinese invasion and occupation of Tibet and declared Tibet's *de facto* status before the invasion by China in 1950 as recognised by many countries (pt. C), it also recognised and condemned the large-scale settlement of ethnic Chinese in Tibet, abortions, forced sterilisation of women, political, religious and cultural persecution which the European Parliament viewed as attempts by the Chinese authorities to destroy the Tibetan identity (pt. D). The European Parliament in its harder stance invited the Commission and the Council to intervene with the Chinese government to emphasise the seriousness of the continued oppression of the Tibetan people and how it would damage the European Union and the PRC's relation (pt. 3), called on the European Union to support any measures to resolve the Sino-Tibetan problem by means of political dialogue which follows the guidelines that the Dalai Lama had proposed (pt. 4) and expressed its support in establishing a permanent contact with the Tibetan Parliament-in-Exile (pt. 5). The next resolution passed that same year (14 December 1995),<sup>470</sup> called on the Chinese authorities to respect the religious tradition of the Tibetan people by accepting the boy chosen by the Dalai Lama as the 11<sup>th</sup> Panchen Lama (pt.2) and condemned the Chinese government's acts of politicising the issue which the European Parliament considered as strictly religious matter throughout the history of Tibet and according to the Parliament would lead to serious unrest in the Tibetan society (pt. B and C). In that same resolution the Parliament recommended that the final decision to move on with the European Union Panam Project in Tibet should not be made until the requests in this resolution are fulfilled (pt. 7). Based on *International Resolutions and Recognitions on Tibet: 1959 to 2004*, two resolutions<sup>471</sup> had been passed in the European Parliament in 1996 on human

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469'European Parliament Resolution on the Disappearance of the Panchen Lama, 13 July, 1995', in *Legal Materials on Tibet*, p. 309; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 35-36.

470'European Parliament Resolution on Panchen Lama and Religious Freedom in Tibet, 14 December 1995', in *Legal Materials on Tibet*, p. 309; DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 37-38.

471 DIIR, 'On the resolution on China and Tibet submitted to the United Nations Commission of



rights issue, deploring the Chinese widened ban on possessing and displaying the pictures of the Dalai Lama (pt. A). In the 1997 resolutions the European Parliament urged its Council to leave no stone unturned in bringing the two parties to reach an agreement which satisfies the legitimate request of the Tibetan people (13 March Resolution 1997, pt. 3) and to employ all political and diplomatic means to ensure that a resolution on the human rights situation in occupied Tibet and in Inner Mongolia and East Turkistan is adopted by the UN Commission on Human Rights (19 February 1997, pt. 4).

As the human rights situation in China continued to worsen, especially in the disputed areas of Tibet, Inner Mongolia and East Turkistan, the European Parliament in 1997 passed a resolution declaring that the Parliament did not see any justification for lifting the EU arms embargo which was imposed on China in 1989 (pt. 25).<sup>472</sup> In yet another stronger resolution, the European Parliament called on its Council and Commission to appoint an EU special representative for Tibet,<sup>473</sup> followed shortly by the European Parliament's resolution of 13 May 1998,<sup>474</sup> wherein the EP recognised the TYC's Unto Death Hunger Strike in Delhi and the self immolation by Thupten Ngodup as actions reflecting the desperations felt by the Tibetans due to the lack of concrete outcome from the various contacts and the international supports, called upon the Council and Commission to take steps to ensure the appointment of a special UN rapporteur on Tibet (Pt.1); urged its Member States to take steps to ensure that the Tibet question is included on the agenda of the UN General Assembly without delay (pt.2); and endorsed the appeal made by 1,300 members of parliament from around the world to the UN Secretary General that he meet the Dalai Lama as a first step in a UN-sponsored process of mediation between the Chinese Government and the Tibetan Government-in-Exile (pt.3).

The year 2000 witnessed a major breakthrough in the history of exile Tibetan

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Human Rights and the position of the EU countries, 18 April 1996', and 'Resolution on human rights in Tibet, 23 May 1996', *International Resolutions and Recognitions on Tibet: 1959 to 2004*, pp. 39-41.

472 Ibid., 'Resolution on the Commission communication on a long term policy for China-Europe relations, 16 June 1997', p.54.

473 Ibid., 'Resolution on the Appointment of an EU Special Representative for Tibet, 16 January 1998', pp. 61-62

474 Ibid., 'Resolution on Tibet, 13 May 1998', pp. 63-65.

community as an unprecedented resolution was passed by the European parliament on 6 July which called on “the governments of the member states to give serious consideration to the possibility of recognising the Tibetan Government-in-Exile as the legitimate representative of the Tibetan people, if within three years, the Beijing authorities and the Tibetan Government-in-Exile have not, through negotiations organised under the aegis of the Secretary-General of the United Nations, signed an agreement on a new Statute for Tibet”.<sup>475</sup> Tibetans in exile consider this resolution as the second greatest victory for their cause next only to the awarding of Nobel Peace Prize to the Dalai Lama. Nine Days after the resolution was passed the National People’s Congress’ Foreign Affairs Committee responded by issuing a statement in which it condemned the resolution as “European Parliament’s act of brutal interference in China’s internal affairs”.<sup>476</sup> Few months before the Parliament passed a resolution<sup>477</sup> wherein it supported the whole content of the Dalai Lama’s five point peace plan (pt. 2) and took account of the Chinese refusal to allow Mrs. Mary Robinson, the United Nations High Commissioner for Human Rights to have access to Tibet (pt. B). In the 20 January Resolution, the European Parliament considered the flight of Karmapa Lama to Dharamsala, India, as an indication of continuous religious repression in Tibet. Thus, the European Parliament’s support for Tibet issue, though started with a mild beginning, grew stronger and more productive. Many Tibetans both official and non-officials are of the view that the ongoing rounds of talks between Beijing and Dharamsala are in some ways prompted by the recent European Parliament’s resolution of 2000.

### **2.5.1.3 Other Nations**

Although major international supports for the Tibet issue came from the US and the European Parliament, other nations have also consistently condemned China’s human rights violations in Tibet and supported the Dalai Lama’s peace initiatives. The international supports came mostly after 1989, the year when His Holiness was awarded the Nobel Peace Prize, which could be taken as a clear indication of the international solidarity for His Holiness’ non-violent struggle for Tibet. However, the Communist regime’s ill treatment of its people and the cruel suppression of the

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475 Ibid., ‘Western China Poverty Reduction Project and the future of Tibet, 6 July 2000’, pp. 71-73.

476 ‘China Opposes EP Resolution on Issue of Tibet’, *People’s Daily*, 16 July 2000.

477 DIIR, ‘European Parliament resolution, 13 April 2000’, *International Resolutions and Recognitions on Tibet: 1959-2004*, pp. 69-70.

unarmed Tibetans in the demonstrations in 1987-1989 and the brutal massacre of thousands of pro-democracy Chinese students opened the world's eye to the Communist regime's brutality and provided a strong validation to the Tibetans' claim of Chinese atrocity inside Tibet. The combination of these events led to the rise of stronger international sympathy for the Tibetans and the pro-democratic students. Various nations passed resolutions in their parliaments criticising the Communist regime's human rights abuses in Tibet, and supported the Dalai Lama by calling on Beijing to start negotiation with any preconditions.

In the 1990s Australian Parliament passed several resolutions in support of Tibet with primary focus on the deplorable human rights condition and religious freedom. The 1990 Australian Senate Resolution commends the Dalai Lama and his representatives for consistently abiding to the non-violent means and urges China to "enter into earnest discussions, without precondition" with the Dalai Lama and his representatives.<sup>478</sup> Four years later on 10 November 1994, during the Chairman of China's National People's Congress, Qiao Shi's official visit to Australia, the Senate expressed its grave concern for the deterioration of human rights situation in Tibet and the lack of fundamental human rights and freedoms in Tibet. The Senate requested the Chinese Government for a commitment to issue visas to exiled Tibetan women from any part of the world to attend the United Nations World Conference on Women that was held in Beijing in 1995.<sup>479</sup> The Chinese government, however, denied visa to more than eighty Tibetan women entitled to participate in the NGO Forum and the nine who were given visa were put under unseemly surveillance and assault.<sup>480</sup> The following year prompted by allegations that the United Nations Secretariat was prohibited from mentioning His Holiness the Dalai Lama in a book to be published to mark the 50th anniversary, the Australian Senate on 29 June 1995 called on the Minister of Foreign Affairs to use his influence to urge the UN not to put such censorship in its publication.<sup>481</sup> Respecting Tibetan people's religious sentiments both

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478 'Australian Senate Resolution on Tibet, 1990', in *Legal Materials on Tibet*, p. 289; DIIR, *International Resolutions and Recognitions on Tibet: 1959-2004*, p. 198.

479 'Australian Senate Resolution on Tibet, 1994', in *Legal Materials on Tibet*, p. 291; DIIR, *International Resolutions and Recognitions on Tibet: 1959-2004*, p. 201.

480 'Press Release from the Department of Information and International Relations Dharamsala, 9 September 1995', *World Tibet Network News*, 10 September 1995,

[http://www.tibet.ca/en/newsroom/wtn/archive/old?y=1995&m=9&p=10\\_3](http://www.tibet.ca/en/newsroom/wtn/archive/old?y=1995&m=9&p=10_3).

481 DIIR, *International Resolutions and Recognitions on Tibet: 1959-2004*, p. 202.

the House of Representatives and the Australian Senate noted the announcement of a new Panchen Lama by China as an attempt to overrule the Dalai Lama's prerogative and expressed dismay over China's actions which the two Houses agreed as representing "further erosion of the international principle of freedom of religion". The Resolution which is passed on November 30, 1995 urged China to respect the Tibetan people's wishes and support the Panchen Lama as recognised by the Dalai Lama.<sup>482</sup> The Australian Senate by welcoming the United States Government's appointment of Mr. Gregory B. Craig as US Special Coordinator for Tibet called on the its Government to emulate the constructive move by the USA and appoint Australian Coordinator for Tibet in a similar role,<sup>483</sup> Other nations that had supported and passed resolutions in their respective parliaments over Tibet include Germany, Belgium, Canada, Luxemburg, Liechtenstein, Spain, France, Austrian, Italy, Swiss, Ireland, Netherlands, Czech Republic, Norway and Sweden.

#### **2.5.1.4 World-Wide Tibet Support Groups**

Another important achievement of the exile Tibetans is the newborn worldwide supporters from numerous NGOs and myriad groups which have now formed a network of Tibet Support Groups around the world. Since the late 1980s, the number of such groups has risen significantly. Currently, there are more than three hundred and fifty Tibet Support Groups (TSGs) in over fifty countries; the majority of which are based in Europe and North America but considerable numbers in Africa, Asia, Latin America, Australia and the former Soviet Republics.<sup>484</sup> Students' participation in the Tibetan cause is no less significant as there are six hundred and fifty Students for Free Tibet (SFT) chapters sprinkled across the globe. The joint forces of these organisations and groups have formed what the Dalai Lama has called "the army of truth"<sup>485</sup> in support of truth, justice, peace and freedom of Tibet. Initially, Tibet Support Groups were formed individually and separately by individuals in their own countries to support the Tibetan people and their cause. These groups actively oppose the Chinese occupation of Tibet and their brutal treatment of the Tibetans. They campaign to garner support from their government, initiate movements to free Tibetan

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482 'Australian Senate Resolution on Tibet, 1995', in *Legal Materials on Tibet*, p. 292; DIIR, *International Resolutions and Recognitions on Tibet: 1959-2004*, p. 204.

483 DIIR, *International Resolutions and Recognitions on Tibet: 1959-2004*, p. 208.

484 International Tibet Support Network, <http://www.tibetnetwork.org/about/>.

485 'The World Wide Tibet Support Movement: An Overview', *Tibetan Bulletin*, Vol. 8, Issue 4, July-August 2004.

political prisoners and work for the improvement of human rights condition in Tibet.

With the increase in the international support for Tibet and formation of Tibet Support Groups in various countries the Tibetan Government-in-Exile felt encouraged to organise the historic First International Conference of the Tibet Support Group (then known as International Friends of Tibet). The first international conference was thus held from 8-9 March 1990 in Dharamsala, India, and was attended by two hundred and sixty delegates from twenty six countries.<sup>486</sup> Many new global strategies and concrete initiatives were planned at the conference. The meeting decided to establish May 13 as Human Rights Day for China and Tibet, to set up a computer information network (TIBETNET), to intensify lobbying at the UN on Tibet issues.<sup>487</sup> Given that the meeting was the first of its kind it was a big success. The second international meeting was held six years later from 14-17 June 1996 in Bonn, Germany. Two hundred and sixty five representatives of Tibet Support Groups from sixty five countries participated in the meeting which was graced by the Dalai Lama. The conference participants discussed and deliberated for two and half days on various strategies to win support for the Tibetan cause at international level and agreed upon the overall strategic objective to achieve the start of substantive negotiations without preconditions. The meeting expressed deep concern at the continued detention of the young Panchen Lama and called upon the participants to launch various campaigns for his release. TSGs decided to approach members of Parliament from their own countries to achieve observer status for Tibetan parliamentarians in the Inter-Parliamentary Union (IPU).<sup>488</sup>

More than 282 representatives from 52 countries assembled in Berlin for the third international conference of TSGs. Although the overall aim and the purpose of the meeting was the same as before this large gathering, held from 11–14 May 2000, developed effective strategies to support the struggle of the Tibetan people's freedom and justice. The representatives expressed their complete solidarity with the people of

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486 Ibid.

487 'Summary of Discussions held at the First International Conference of TSGs in Dharamshala from 8-9 March 1990', <http://www.tibet.net/en/diir/wwtm/tsgc/intl/1/>.

488 *A Report: Second International Conference of Tibet Support Groups, Bonn Germany June 14-17, 1996*, convened by Tibetan Government in Exile in co-operation with Friedrich Naumann-Stiftung, DIIR, pp. 134-139.

Tibet and pledged their total support. The meeting endorsed the right of the Tibetan people to determine their future destiny and recognised His Holiness the Dalai Lama and the Tibetan Government-in-Exile to be the sole legitimate representatives of the Tibetan people. By showing their concern at the deterioration of the situation in Tibet, the meeting severely condemned China's persistent violation of the Tibetan people's human rights and its refusal to enter into earnest negotiations with the Dalai Lama. The TSGs further endorsed the proposal made by the European Parliament "for an initiative to urge the Government of Tibet-in-Exile to reconsider its position on independence if no substantive progress has been made in negotiations with the Government of the People's Republic of China on proposals for Tibetan self government in the next three years. In that event, we shall fully support such a stand and shall launch a major campaign for international recognition of Tibet's claim or for the conduct of an internationally supervised referendum on the issue".<sup>489</sup> Despite the meetings and contacts between various Tibet Support Groups, initially there was a lack of good coordination among the support groups which made the campaigns and movements less effective. Therefore in the latest TSGs meeting in 2003, decision was made to form the International Tibet Support Network to coordinate the movements of the TSGs around the world.<sup>490</sup> As usual China did not miss accusing the host countries of interfering in their internal affairs and immense pressure on the host countries to stop the international conferences from taking place.

With the support of the governments and NGO's the Tibetan Government-in-Exile has been successful in establishing representative offices in 13 countries, acting as *de facto* embassies of the Central Tibetan Administration. The representative offices are in India, Switzerland, USA, Japan, UK, Nepal (has recently shut down, Tibetans however believe that China was responsible for pressuring Nepalese Government), Hungary (also closed due to financial restraints), Russia, France, Australia, South Africa, Taiwan and Belgium. As can be seen from the above section, the current status of the Tibetan Government-in-Exile is highly dependent upon the support of the international communities.

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489 *A Report: Third International Conference of Tibet Support Groups, Berlin, Germany 2000*, convened by Tibetan Government in Exile in co-operation with Friedrich Naumann-Stiftung, published by DIIR, 2001, pp. 135-136.

490 International Tibet Support Network <http://www.tibetnetwork.org/about/>.

### 2.5.2. Beijing, Taiwan and the Tibet Question: The Politics of Internal Differentiation

This section discusses Sino-Taiwan issue in the light of Tibet's past experience and the implication on resolving Taiwan's issue based on the model applied for Tibet in 1951.<sup>491</sup> Given that the Communist leadership is bent on reunifying Taiwan to the mainland, the question of how China should proceed with this plan continues to occupy the collective minds of the Communist leadership. Contrary to Tibet, whose "liberation" took place two years after the Communist rule in China, the liberation of Taiwan is yet to be actualised, despite Beijing's half a century of political manoeuvring. The People's Republic of China's long-term objective is the reunification with Taiwan and over the years communist leaders have adopted various approaches varying from Mao's rigid rule to Deng's more pragmatic and conciliatory approach, which is still supported by the current communist leaders. In a nutshell, the Beijing government while offering a high degree of autonomy insists Taiwan to recognise itself as part of one China. Beginning with the initial issuance of "Message to Taiwan Compatriots,"<sup>492</sup> by the Standing Committee of National People's Congress (NPC) on 1 January 1979; followed by "Ye's nine principles," announced on 30 September 1981 for Taiwan's reunification;<sup>493</sup> Deng's policy of "One country, Two

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491 Wang Hsuan-chih, *The True Features of Chinese Communist "Tibet Model"*, Taipei: World Anti-Communist League, China Chapter: Asian People's Anti-Communist League Republic of China 1982, p. 1. The author referred to an article by Ngapo Ngawang Jigme (the Vice Chairman of NPC standing committee) in which he suggested that the Taiwan issue could be resolved after the pattern of Tibet. Ibid., p. 42. In refutation of the so called "Tibet model" the author concluded that the model is "nothing more than a political chicanery". Dawa Norbu, *China's Tibet Policy*, p. 303. The author quoted Wang Bingnan, China's ambassador to Poland in the 1950s, who was reported by the Associated Press as suggesting that Tibet "could be the model for Taiwan's future status if it decides to join" the mainland. The ambassador further asserted that Taiwan is different from the other provinces of China and has its own "characteristics, which makes a Tibet-like solution possible". Specifically, he recalled the 17-Point Agreement signed between Lhasa and Beijing to maintain the Tibetan religion, its social system and to "move it gradually toward socialism".

492 Wang Hsuan-chih, *The True Features of Chinese Communist "Tibet Model"*, p. 1; 'N.P.C Standing Committee Message to Compatriots in Taiwan', 1 January 1979, [www.fmprc.gov.cn/eng/ljzg/3568/t17790.htm](http://www.fmprc.gov.cn/eng/ljzg/3568/t17790.htm). (I used the official website of the Ministry of Foreign Affairs of the People's Republic of China, later referred to as China's Official Website, for my reference on the proposals made by the PRC for Taiwan reunification.)

493 'Chairman Ye Jianying's Elaboration on Policy Concerning Return of Taiwan to Motherland and Peaceful Reunification', 30 September 1981. Ye, Jianying, the Chairman of the Standing Committee of the National People's Congress, in an interview with a *Xinhua* correspondent announced and elaborated a nine point policy concerning the reunification of Taiwan to the motherland. This policy was later termed as the "Ye's nine point proposal". [www.fmprc.gov.cn/eng/ljzg/3568/t17783.htm](http://www.fmprc.gov.cn/eng/ljzg/3568/t17783.htm) (China's official website).

systems”;<sup>494</sup> and the Anti-Secession Law, passed on 14 March 2005,<sup>495</sup> Beijing has made various attempts to coax and coerce Taiwan into negotiation.

The PRC while maintaining not to impose a socialist superstructure on the capitalist based economy of the Island, nevertheless was determined to unify Taiwan with China, and did not rule out the possibility of using force.<sup>496</sup> This Communist stance was first made public at a meeting with 85 US Senators on Capitol Hill on 30 January 1979, when Deng spoke of possible Chinese military action against Taiwan and Vietnam<sup>497</sup> and was actually demonstrated in 1995-1996 and again in July 1999.<sup>498</sup> In both these crises, the United States while pursuing a strategy to avoid conflict between the two parties sent warships to protect Taiwan in 1996 and it despatched two high-ranking American diplomats to Beijing and Taiwan in July 1999. The United States with wide Congressional support<sup>499</sup> resists the Chinese determination to use force if Taiwan seeks independence. On many occasions the United States expressed its desire for a peaceful settlement of the Taiwan issue and acknowledged that the issue is a matter for the Chinese themselves to decide<sup>500</sup>, yet at the same time

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494 ‘The Taiwan Question and Reunification of China, August 1993’, *White Papers of the Chinese Government (I)*, Beijing: Foreign Language Press, pp. 293-315. On 11 January 1982, Deng Xiaoping succinctly summed up the nine point policy announced by Ye Jianying as a policy of “One country, Two systems”. Since then this came to be known as Deng’s “One country, Two systems” policy.

495 The full text of the Anti-Secession Law can be read at [www.china.org.cn/english/2005lh/122724.htm](http://www.china.org.cn/english/2005lh/122724.htm).

496 Guo-cang Huan, ‘Taiwan: A view from Beijing’, *Foreign Affairs*, vol. 63, no. 5, 1985, p. 1068. According to Guo-cang Huan, Deng Xiaoping set the following conditions for using force against Taiwan: If Taipei leaned toward Moscow instead of Washington; if Taipei decided to develop nuclear weapons; if Taiwan claimed to be an independent state; if Taipei lost internal control as a result of the succession process; or if Taipei continued to reject reunification talks for a long period of time; ‘The One-China Principle and the Taiwan Issue,’ A White Paper released by Taiwan Affairs Office and the Information Office of the State Council on February 21, 2000, maintains that China continues to hold on to the key points of the “one country, two systems” policy whereby China will do its best to achieve peaceful reunification without committing itself to rule out the use of force, <http://taiwansecurity.org/IS/White-Paper-022100.htm>; The Article 8 of the Anti-Secession Law, passed by the Third Session of the Tenth National People’s Congress on 14 March 2005, asserts that the state shall use non-peaceful means ‘in the event that the “Taiwan independence” secessionist forces should act under any name or by any means to cause the fact of Taiwan’s secession from China’. [www.china.org.cn/english/2005lh/122724.htm](http://www.china.org.cn/english/2005lh/122724.htm).

497 ‘Chinese Deputy Premier Teng Hsiao-ping Visits U.S’, *Facts on File World News Digest*, 2 February 1979, p. 65 A1.

498 Julian Baum, ‘Upping The Ante’, *Far Eastern Economic Review*, 22 July 1999, p. 18-19.

499 ‘House Congressional Resolution 270, 9 June 1998’, <http://www.taiwansecurity.org/House-270.htm>. The House of Representative voted 411-0 in favour of H.Con. Res. 270, which called on President Clinton to persuade the Beijing Government “to renounce any use of force against Taiwan”.

500 Dennis Van Vranken Hickey, ‘America’s Two-Point Policy and the Future of Taiwan,’ *Asian Survey*, vol. 28, no. 8, August 1988, pp. 881-883. The US-PRC Communiqué 1972, the 1979



it continues to help Taiwan in different forms such as in trade and commerce and occasional sales of sophisticated weapons.<sup>501</sup> This dual characteristic policy of the United States on Taiwan remains basically unchanged since 1979, which many described as the United States' policy of ambiguity and which according to Chu Shulong, a Chinese scholar on American China policy and China's security strategy, is tantamount to supporting Taiwan's separation and providing "Taiwan with the military capability to be independent".<sup>502</sup>

The consistent United States' policy towards Taiwan and its continuous military support has boosted the confidence of the Taiwan administration and to some extent has made them less responsive to the PRC's initiatives. Until the late 1980s the bone of contention between Taipei and Beijing was the issue of who represents the sole and legitimate government of China.<sup>503</sup> Both the parties then agreed to the "one China" principle. The fundamental change in Taiwan's "one China" policy appeared when the Taiwanese constitutional amendment of 1991 placed the cross-strait relation as a "state-to-state" relationship, followed by President Lee Teng-hui's interview for *Deutsche Welle* in July 1999, wherein he asserted that "the ROC is a sovereign, independent state" and redefined the relation between the two parties as "state-to-state".<sup>504</sup> Few years later on 3 August 2002 in a video conference speech to the World Federation of Taiwanese Associations President Chen Shui-bian, Democratic Progressive Party (DPP) and an ardent advocate of Taiwan independence, said:

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Communiqué and the 1982 Communiqué affirmed the United States' policy towards Taiwan's future to be a peaceful settlement and that it acknowledges the Chinese position that there is but one China and that Taiwan is a part of China. However, in *China and Taiwan*, hearing before the Committee on Foreign Relations, U.S. Senate (Washington, D.C.: Government Printing Office, 1982, p. 18) the term "acknowledges" was used deliberately as it indicated the "cognizance of but not necessarily agreement with, Chinese position". Ibid., p. 883.

501 The Taiwan Relations Act of 1979, Sec. 2: b(5) and Sec. 3b, states that it is policy of the United States government to provide Taiwan with arms of a defensive character and the nature and quantity of defence articles shall be based solely upon the judgment of the needs of Taiwan. *Congressional Quarterly Almanac*, Congressional Quarterly Inc. 1979, pp. 99-117; 'US Unease at China's Taiwan Law', *BBC*, 9 March 2005. On 9 March BBC reported the US unease at China's Taiwan law and pointed out that the US legislation obliges it to resist any use of force by China against Taiwan and provide a means of defence. <http://news.bbc.co.uk/2/hi/asia-pacific/4331443.stm>.

502 Chu Shulong, 'National Unity, Sovereignty and Territorial Integration', *The China Journal*, No.36, July 1996, p.101.

503 Trong R. Chai, 'The future of Taiwan', *Asian Survey*, vol. 26, no. 12, December 1986, p. 1310.

504 International Crisis Group, *Taiwan Strait I: What's left of 'One Chin'?*, International Crisis Group 6 June 2003, p.13. For text, see: [www.taiwansecurity.org/TS/SS-990709-Deutsche-Welle-Interview.htm](http://www.taiwansecurity.org/TS/SS-990709-Deutsche-Welle-Interview.htm).

Taiwan is our country, and our country cannot be bullied, downgraded, marginalized, nor treated as a local government. Taiwan is not a part of any other country, nor is it a local government or province of another country. Taiwan can never be another Hong Kong or Macau, because Taiwan has always been a sovereign state. In short, Taiwan and China standing on opposite sides of the Strait, there is one country on each side. This should be clear.

China has never renounced the use of force against Taiwan and continues to attempt to suffocate us internationally. This strains the goodwill of the people of Taiwan. China's insistence on the "one China principle" and "one country, two systems" means a change of the status quo for Taiwan. The decision to change the status quo for Taiwan cannot be made for us by any country, any government, any political party, or any single individual. Only the 23 million people of Taiwan have the right to decide the future, fate, and status of Taiwan.<sup>505</sup>

On 12 August 2002, Chen made a similar statement asserting to face China's military threat and suppression of their space on the international stage. He said, "If we're on the right road, we must not cease walking down it. We will not be scared".<sup>506</sup> This emergence of native Taiwanese nationalism and a sense of Taiwanese identity replacing the old KMT 'One China' principle pose potential dangers to the Communist leaders. Beijing now has to make sure that the current Taiwanese independence movement does not gain overwhelming international and domestic support which would threaten Chinese sovereignty over Taiwan; that the United States does not change its present stand, and that Taiwan does not develop nuclear capabilities. It seems unlikely that the United States will change its stand unless a drastic geopolitical shift occurs in that region. However, the other two have more possibility as the public support for pro-independence movement has increased over the years and evidence uncovered in October 2004 by the International Atomic Energy Agency showed that Taiwan may have carried out plutonium separation

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505 International Crisis Group, *Taiwan Strait I: What's left of 'One China'?* 6 June 2003, International Crisis Groups, p. 16. For full text see: 'President Chen's Opening Address of the 29<sup>th</sup> Annual Meeting of the World Federation of Taiwanese Associations, 3 August 2002', <http://www.tecro.org/content.php?section=press/archives/2002/08/080302>.

506 'Taiwan Defiant Over Chinese Threats', *BBC*, 12 August 2002. <http://news.bbc.co.uk/2/hi/asia-pacific/2186491.stm>.

experiments in the mid-1980s. But it should be noted that Taiwan had abandoned their nuclear program about twenty years ago.<sup>507</sup>

The question then remains what courses of action Beijing might take given Taiwan's unyielding position and what historical precedents are there that might influence the Communist strategy and future policy? Will the PRC's past treatment of Tibet influence Taipei's trust in Beijing's sincerity about the conditions for reunification? In my opinion the PRC's policy applied to Tibet in 1951 bears close resemblance with the proposal offered to Taiwan. Both the proposals contained assurances of non-interference with the local government, although the terms differ. There are also similarities in terms of foreign support; just like Taiwan has the United States now, Tibet had India then, and just as Tibet's fate depended on India's help then, Taiwan's fate too is dependent upon the United States now. I will mention the ramifications of Taiwan issue in the light of Tibet's past experiences.

From Beijing's various pronouncement on Taiwan so far, we can discern three forms of "liberation": peaceful liberation (1949-1978), peaceful unification (since 1979) and armed liberation (which Beijing has not ruled out in the event of Taiwan's declaration of independence or separation from the mainland).<sup>508</sup> An armed liberation seems unlikely unless Chen's administration takes a drastic move towards independence which however is checked by the Bush administration's firm adherence to the "ambiguous policy" towards Taiwan and China.<sup>509</sup> However, such an eventuality should not be ruled out, especially in the event if Taiwan declares independence or if Beijing's loses its patience with the decades long initiatives for reunification. Under such circumstances the only deterrent elements would be the United States and Japan both of whom have vested interests in the stability in the Taiwan Straits. However, it

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507 Craig S. Smith, 'Taiwan May Have Experimented With Atomic Bomb Ingredient', *New York Times*, 14 October 2004; George Jahn, 'Taiwan Conducted Plutonium Experiments', *Associated Press*, 14 October 2004.

508 International Crisis Group, *Taiwan Strait I: What's left of 'One China'?*, pp. 6-7.

509 Dennis Van Vranken Hickey, 'America's Two-Point Policy and the Future of Taiwan', *Asian Survey*, vol. 28, no. 8, August 1998, pp. 881-883. The US-People's Republic of China Communiqué of 1972, 1979, and 1982 acknowledge the China's "One China" principle, at the same time the Taiwan Relations Act of 1979 obliges the United States to provide Taiwan with required arms to defend itself against any military attack. The present US administration also subscribes to the same policy. At a hearing on Taiwan presented to the House of International Relations Committee on 21 April 2004, the Assistant Secretary of State for East Asian and Pacific Affairs James A. Kelly reaffirmed the US Policy in 'Overview of U.S. Policy Toward Taiwan', <http://www.state.gov/p/eap/rls/rm/2004/31649.htm>.

is hard to say what course the two nations, especially the United States, would take but the situation would certainly become the litmus test for the United States' ambiguous Taiwan policy.

Of the two peaceful options Beijing formally abandoned its 'policy of liberation' of Taiwan in favour of peaceful reunification in 1979<sup>510</sup> signifying more liberal intentions of the pragmatic leadership and its deference to the United States. However, this so called 'peaceful reunification' requires some sort of bilateral negotiations for which Taipei so far had not shown any positive responses, including the Ye's nine point proposal. Though the terms have changed but the goal remains the same, which leads to the unification of Taiwan to the Mainland. Both the peaceful liberation and the peaceful unification have not discarded the use of force when deemed necessary by Beijing. This reflects a similar precedence in Tibet's liberation in 1951, which Beijing hailed as a peaceful liberation to unify Tibet to the Mainland but was actually achieved with the deployment of the PLA troops who defeated the ill equipped Tibetan force in Chamdo. The Tibetan government then was forced into negotiation and to accept the Beijing's dictated terms, called as the Seventeen Point Agreement signed between the "central Government of China" and the "local Government of Tibet" on 23 May 1951. Compared to the pre-industrial Tibet of 1950, Taiwan is highly modernised and well armed but there are elements that are common to both, that is an initial, limited use of force followed by a "peaceful liberation" leading to unification of the Mainland. In the light of such event Taiwan certainly can challenge more effectively than Tibet ever did, although without the United States military aid, Taiwan has less chances of winning such a war. However the Communist leaders would not wage such a war unless the Taiwanese moves towards independence or secession from Mainland challenges the Beijing sovereignty over the island.

There are certain fundamental objectives which indicate Beijing's perception of the island that the communist leaders will have to consider while resolving the Taiwan problem. The first and foremost is Beijing's insistence upon Taipei's acknowledgement of the PRC's sovereignty over Taiwan and itself as an integral part

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510 International Crisis Group, *Taiwan Strait I: What's left of 'One China'?*, p. 6.

of China. In other words, Beijing's condition offers a similar kind of "local government" to Taiwan as it did to Tibet in 1951 and repudiates any claims to represent the "central government" of China, as propounded by the KMT who then challenged the CCP's authority in Beijing. Secondly, radical changes had ushered a new form of political system in Taiwan over the past few decades which is in contrast to that of Communist China. Given the prevalence of pro-democracy supporters in China, Taiwan's thriving democratic system could attract more supporters and even influence those who do not favour communism, thus might become a threat to the very existence of the CCP itself. Even the CCP's assurances to the Taiwan administration do not carry much credibility as Tibet's past experience shows that the CCP, while accepting non-Communist system on one hand could undermine the socio-political basis on the other. This type of status cannot last as it is formulated primarily for tactical reasons. Thirdly, Taiwan has posed a security problem for China just like Tibet did years ago. The Chinese humiliation over the centuries from the foreign imperialists' occupation of Taiwan has made the Communist Chinese more determined not to let this happen again and prompted Beijing to unify Taiwan at any cost. Consequently, Beijing might take steps to curb Taiwan's foreign contacts and arms purchases. Though Beijing assures Taiwan that it can retain its armed forces it would eventually end up following Tibet's example whose troops were later integrated into the PLA just few years after the liberation.

In many ways Beijing's current problems with Taiwan are similar to that of Tibet and hence, Beijing authorities use Tibet's precedence in dealing with Taiwan. According to the Communist's own perception, both Tibet and Taiwan are integral parts of China which have drifted away from the motherland in the past decades due to imperialists' deception. Both Beijing and Taipei concur to the first while Tibetans do not agree. Considering Tibet's unique culture and religion and Taiwan's industrial economy and social system as special characteristics Beijing had made assurances of their protection. Just as Chou Enlai's assurances made to Nehru in 1950s that the Communist would not impose socialism upon Tibet, Deng Xiaoping made similar assurances to the United States regarding Taiwan. Similarity between the two regions is also found in Beijing's willingness to grant more leniencies to Taiwan, just like it did to Tibet. Beijing has always been suspicious of foreign involvement and intervention in territories that they consider as theirs, be it Tibet or Taiwan. Although

Taipei accepts Chinese sovereignty over the island, it questions the legitimacy of the Communist regime and aspires to replace the Communist system with an alternative policy. Finally, both Tibet and Taiwan stand as the PRC's biggest ideological adversaries; whereas Tibet defeated Communist China's largest propaganda efforts since its founding in 1949, Taiwan has embraced democracy and is unwilling to change its political system.

Due to all these similarities between the two cases it is no wonder Beijing used its Tibetan experiences and based its Taiwan policy on the Tibet Model, as can be seen from Ye's nine-point proposal. Whether it is Ye's nine-point proposal or Deng's "one country, two systems" model, what Beijing basically offers to Taiwan, does not go beyond the political boundaries of the Tibet Model, for it promises nothing more than "a high degree of autonomy as a special administrative region" (Ye's Point 3), which is exactly same as the third point in the Seventeen Point Agreement. As for the fourth point of the nine-point proposal it is just a retrogression of the Seventeen Point Agreement as the fourth point of the latter guarantees preservation of "the existing political system in Tibet" while the fourth point of the Ye's proposal promises that "Taiwan's current socio-economic system will remain unchanged". The only political deviation from the Seventeen Point Agreement is the fourth point of the proposal which states that "people in authority and representative personages of various circles in Taiwan" may share power with the Communists in ruling the state. Furthermore, other comparisons can be drawn from such promises as allowing the Tibetan army to be reorganised step-by-step into the People's Liberation Army—a similar term for Taipei, Beijing would allow it to retain their armed forces, allowing great freedom of religion and associated matters (Points 4, 5, 6 and 7) for Tibet and in the case of Taiwan freedom would be provided in terms of their business interests and people's living standards (Ye's Points 4, 6 and 8).

Despite these similarities Beijing's Taiwan policy reflects the differences in Taiwan's entity from that of Tibet's. Taiwan shares China's culture, language, and ethnicity; it has been occupied by various foreign forces since the sixteenth century and has led a separate political, ideological and economic entity since 1949 in opposition to the Communist system. These factors have created a distinct entity for Taiwan and have produced differing responses from Taiwan for Beijing's overtures. China has

employed various tactics to bring Taiwan under its folds. Overtures such as “three exchanges,” “four interflows” and trade exchanges have failed to produce expected results although informal communications have been set up. To play its trump card Beijing has unabashedly appealed to Chinese nationalism and has called upon the Taipei authorities to negotiate a peaceful unification. Such peaceful offerings were almost always accompanied or followed by threats of military attacks. The present American policy of discouraging the PRC from resorting to military actions in resolving the Taiwan issue and China’s increasing reliance upon American technology and trade might ensure Taiwan’s safety for a foreseeable future.

The current USA’s role in the Taiwan issue is similar to India’s in the Tibetan sense. India was then, what the USA is now, torn between humanistic support for the helpless Tibetan people and the political necessity to befriend China. New Delhi advised China against using military force to resolve the Tibetan question and tried to persuade Beijing to grant Tibet domestic autonomy. The USA is holding a similar policy of dissuading China from using force and seeking a peaceful resolution to the Taiwan question. China will vehemently object any official American mediating role in the negotiation between Beijing and Taipei, but the USA could still wield considerable influence as an informal mediator. And it can exert far more influence upon China than India could for Tibet. Although the structural framework for the Taiwan policy is based on the “Tibetan Model,” China faces serious credibility problem because of the way they implemented the Seventeen Point Agreement and acted in total violation of the agreement. Ye’s nine-point proposal was rejected by Taipei because President Chiang Ching-kuo pointed to “the fate of Tibet as an example of what would befall Taiwan if it accepted reunification now”.<sup>511</sup> Therefore, judging from Tibet’s current situation Taiwan will certainly not dig its own grave by accepting the reunification policy. The final resolution of the Sino-Taiwan problem will be reflective of how China resolves the Tibet issue. Thus the Tibet issue becomes pertinent and vital to the resolution of the Taiwan issue. A wise calculation on the part of Chinese policy makers would help Beijing to generate trust among the Taiwanese people, who are currently suspicious of the Communist regime.

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511 ‘Tibet, Taiwan and Hong Kong’, *Tibetan Bulletin*, vol. XIII, no. 1, January-February 1982, pp.7-9 and 27.

### 2.5.3. Tibet Factor in Sino-Indian Relations

As in every relation between nations there are a number of factors that affect and influence the formulation and shaping of foreign policy. The Sino-Indian relation can also be seen from this perspective. In the late 1940s when the two Asian giants came to power Tibet began to impinge on their relations as both contemplated who should occupy the strategic buffer region between the two.<sup>512</sup> Initially, the newly independent state of India adopted the same policy as that of the British by recognising Chinese suzerainty but not sovereignty over Tibet, accepting Tibet's power to sign treaties with other nations<sup>513</sup> and autonomous buffer state between the two Asian giants. When the People's Liberation Army (PLA) invaded Tibet in 1951 the Indian government headed by Nehru protested strongly against the invasion which indicated India's preference of continuing the former British Tibet policy.<sup>514</sup> Even in a letter to V. Krishna Menon (defence Minister) and K. M. Panikkar (Indian Ambassador to China) in 1950, Nehru had used the British terminology "Chinese suzerainty" and Tibetan "autonomy," thus trying his best to avoid Chinese occupation of Tibet. However, as we will see the Nehruvian policy did not withstand the Chinese onslaught of Tibet.

Opinions vary as to how strong Nehru acted to prevent Communist China from invading Tibet but intimate study of the period reveals that the newly independent India had more pressing issues of developing the economy of the nation and removing the sectarian strife within itself and with Pakistan.<sup>515</sup> Thus, the problems in its

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512 Before the Chinese occupation of Tibet in 1951 there had been no territorial conflict between India and China.

513 In 1947, despite protests from the Kuomintang regime to withdraw invitation, which India refused, a Tibetan delegation participated in the Asian Relation Conference. The conference was participated by academic and representatives from thirty two Asian countries. According to Goldstein the Chinese representative at the Conference tried to convince the Tibetans to be represented by China and also offered 10,000 rupees as "spending money" to each delegate. Melvyn C. Goldstein, *A History of Modern Tibet, 1913-1951: the Demise of the Lamaist State*, p. 563. The Chinese succeeded in having a map that showed Tibet separate from China withdrawn and the Tibetan flag removed. For detail see Lamb, Alastair: *Tibet, China and India 1914-1950: A History of Imperial Diplomacy*, Hertingfordbury: Roxford Books, 1989, p. 498. See also Tsering Shakya, *The Dragon in the Land of Snows: A History of Modern Tibet since 1947*, pp. 2-3 and Dawa Norbu, *China's Tibet Policy*, pp. 283-284. In that same year the Indian government gave assurance to Lhasa that Anglo-Tibetan treaties and conventions would be respected as before. Dawa Norbu, *China's Tibet Policy*, p. 284.

514 Nehru's address to the Lok Sabha, 7 December 1950, A. Appadorai, *Select Documents on India's Foreign and Relations 1947-1972*, New Delhi; New York: Oxford University Press, 1982, p. 457-458.

515 India achieved independence on 15 August 1947 but with the dismemberment of Pakistan. The All



northern borders along the Himalayan range took a secondary status. Although Nehru's view and initiatives may appear unclear, indeterminate and confused<sup>516</sup> nevertheless he tried his best, diplomatically,<sup>517</sup> to keep the *status quo* of the autonomous Tibet. Nehru steadfastly pursued a peaceful resolution of the Sino-Tibetan problem and worked hard to prevent any military invasion of Tibet. However, as the Communist Chinese approached their victory, Nehruvian policy started to begin deviating from its earlier stand on Tibet and thereby, formulated a new definition of a security zone by signing a series of defence treaties with its neighboring countries<sup>518</sup> which in a way could be considered as representing India's strategic response to the Communist Chinese occupation of Tibet. In 1959 Nehru publicly stated that India would defend Nepal, Bhutan and Sikkim in case of a Chinese invasion.<sup>519</sup> These bold statements indicated a change in Nehru's views on Communist China, a sign of trepidation of the Communists' moves. Though belated, Nehru did recognise the ulterior motives of China and acted accordingly. Had Nehru taken a stronger stand on Tibet before the Communist takeover and understood that his "gentleman policy" was

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India Muslim League demanded that a separate Muslim state should be established in an otherwise Hindu-dominated subcontinent. The creation of Pakistan was followed by widespread violence, communal riots and later wars between the two countries mainly over Kashmir. The Kashmir border dispute persists, having brought India and Pakistan to the brink of war in 1990, 1999, and 2001-02. Alan Isaacs, *Oxford Concise Encyclopedia*, Oxford: Oxford University Press, 2004, pp. 444-445.

516 FRUS, 1949, Vol. IX, p. 1082. See Tsering Shakya, *The Dragon in the Land of Snows: A History of Modern Tibet since 1947*, p. 24. In a press interview on 16 November 1949 Nehru is said to have made this remark: "In a weak sense we have accepted the fact of Chinese suzerainty [over Tibet]. How far it goes one does not know". That was then the Indian government's view on Tibet. On 27 October 1949 Krishna Menon, Defence Minister, wrote to the British government seeking advice on how India should safeguard the special position of Tibet to which the British replied with an eight-point memorandum emphasising that India should not recognise Tibet's independence yet at the same time India should do what they can, short of military assistance. In brief the British advice to India was to provide assistance to Tibet so as to encourage the Tibetans to resist without provoking the Communists, cited in Tsering Shakya, *The Dragon in the Land of Snows: A History of Modern Tibet since 1947*, pp. 25-26.

517 Tsepon. W. D. Shakabpa, *Bod-kyi Srid-don rgyal-rabs*, Vol. 2, Kalimpong, Shakabpa House, 1976, pp. 417-18. Nehru's initial support for Tibet is evident from his government's provision of small scale military aid and dispatching of Indian officers to train Tibetan soldiers in Gyantse. The Indian government also agreed to the Tibetan's request for setting up a Tibetan mission in Kalimpong, India. These symbolic gestures show that India retained interest in Tibet. Indian government was fully aware of the strategic importance of Tibet for her security. For instance in 1948 Panikkar had warned that the Communist takeover of Tibet would bring China in direct conflict with India. He recognised that Tibet was great strategic importance to India. He even went to the extent of suggesting that India's recognition of Tibet's independence as a mean to keep away the Communists from Indian border. FO 371-75798, quoted in Tsering Shakya, *The Dragon in the Land of Snows: A History of Modern Tibet since 1947*, p. 26.

518 India signed defence treaties with following countries; Bhutan on 8 August 1949, Nepal on 31 July 1950 and Sikkim on 15 December 1950. India declared that it would not tolerate any foreign interference in these countries. Charles H. Heimsath and Surjit Mansingh, *A Diplomatic History of Modern India*, Bombay: Allied Publishers, 1971, p. 202.

519 A. Appadorai, *Select Documents on India's Foreign and Relations 1947-1972*, pp. 547-549.

not applicable to the Communist regime India definitely would not have to undertake all those treaties in haste. But the question then became what was the primary task for India: the economic development of the nation and the internal and external (Pakistan) sectarian strife or the northern security problems along the undefined borders of the Himalayan range.<sup>520</sup> Another factor that contributed to Nehru's neglect of Tibet was the Korean crisis of 1950. As the history shows Nehru chose the former issues over that of the border problems which consequently led to continuous security problems along the Himalayan range.

Before going further into the present, a brief description of the initial Sino-Indian relation is expedient. Prior to the occupation of Tibet by Communist China the two Asian giants did not have any direct contacts. It was only after the fall of Tibet that the two nations found themselves facing each other on numerous issues. Therefore, a flashback on the origin of India's Tibet policy becomes pertinent. The relation between Tibet and the new independent Indian Republic began a year before India's independence. On 12 October 1946 the Tibetan government sent a telegram congratulating India on the formation of its interim government in Delhi. Nehru, in his reply dated 16 October 1946 said, "My colleagues and I am most grateful for your kind message. We look forward with confidence to the continuance and strengthening of the close and cordial relations which have existed between our two countries since ancient times,"<sup>521</sup> a reply which exhibits Nehru's initial view on the status of Tibet as a country independent of China. Another instance of Nehru's acknowledgement of Tibet as an independent country can be seen in his letter 30 January 1947 to Mahatma Gandhi in which he wrote that "almost every country of Asia from the west to the east and south, including the Arab countries, Tibet, Mongolia...will be represented by leading men [at the Inter Asian Relations Conference]".<sup>522</sup> However, depending on the Chinese ventures this Nehru's stance on Tibet underwent various changes as we go into more detail. In 1950 when Communist China's aggressive designs gained momentum and declared its intention to liberate Tibet, Nehru's determination to

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520 The disputed areas on the Himalayan range are the Western Sector, the Middle Sector and the Eastern Sector. The Western Sector lies where Kashmir, Xinjiang and Tibet meet, extends over 1,000 miles from the Karakoram Pass in the north of Ladakh to Spiti in Himachal Pradesh, India. It is generally known as the Aksai Chin. The Middle Sector extends 500 miles from the east of Ladakh encompassing Shipka la pass and the Eastern Sector lies between Bhutan and Burma.

521 S. Gopal, *Selected works of Jawaharlal Nehru*, Vol. 1, Publication Division, 1983, p. 525.

522 Ibid., p. 111.

safeguard the buffer zone weakened and took a back seat. Seeking a peaceful resolution of the Tibet became his priority yet at the same time India backed off from providing arms assistance to the Tibet.<sup>523</sup> That same year when Tibet appealed to the United Nations, India by taking a leading role discouraged the United States and England from raising the Tibet issue stating that for Tibet's own sake any provocation could lead to greater Chinese reprisal<sup>524</sup> and based on Chinese assurances India convinced the others that a peaceful settlement of the Tibet question was still feasible which would safeguard Tibet's autonomy while maintaining its historical association with China. India found herself in a tight spot, torn between its sympathy to the Tibetans<sup>525</sup> versus saving itself from China's accusation of practicing imperialism.<sup>526</sup> Externally India held a false belief that a peaceful solution could be reached to maintain the *status quo* but at the same time leading Indian politicians were aware that the negotiation had a slim chance of resolving the Tibet Question.<sup>527</sup> Despite these skepticisms India's assurances led to the postponement of hearings of the Tibet issue at the UN.

After the signing of the Seventeen Point Agreement between the "Central government" of the PRC and the "local government" of Tibet, in 1951, things became even easier for Nehru to consolidate India's view on Tibet's political stand. In 1954, India concluded an agreement with China, entitled "Agreement between the Republic of India and the People's Republic of China on Trade and Intercourse between Tibet Region of China and India," generally known as the Panchsheel Agreement,<sup>528</sup> in

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523 Just a year before the PLA's invasion of Tibet, India made its last delivery of arms to Tibet. FRUS, Vol. VI, 1950, p. 317.

524 FRUS Vol. VI, 1950, p. 550-501, quoted in Tsering Shakya, *The Dragon in the Land of Snows: A Modern History of Tibet since 1947*, p. 55.

525 On 27 April, 1959, Nehru in a statement in the Lok Sabha (Lower house of the Indian Parliament), he said, "I stated some time ago that our broad policy was governed by three factors: 1) the preservation of the security and integrity of India; 2) our desire to maintain friendly relations with China; and 3) our deep sympathy for the people of Tibet". A. Appadorai, *Select Documents on India's Foreign and Relations 1947-1972*, p. 518-519.

526 In that same statement Nehru reported to the house of Chinese accusation asserting that, "Another and an even stranger allegation has been made about 'Indian expansionists' who, it is alleged, are inheritors of the British tradition of imperialism and expansion". Ibid., p.517.

527 Bajpai, India's External Foreign Minister, who was well aware of the situations in Tibet told Henderson that government of India "had only faint hope" of the Tibetan question being resolved by negotiation. FRUS, Vol. VI, 1950, p. 584, cited in Tsering Shakya, *The Dragon in the Land of Snows: A Modern History of Tibet since 1947*, p. 58.

528 The five principles were: 1) Mutual respect for each other's territorial integrity and sovereignty, 2) Mutual non-aggression, 3) Mutual non-interference in each other's internal affairs, 4) Equality, and 5) Peaceful co-existence.

which India agreed to accept Tibet as an integral part of China and gave up its special privileges<sup>529</sup> in Tibet that it had inherited from the Great Britain. According to Nehru the agreement resolved the outstanding border issues between India and China, albeit it was achieved at the expense of abandoning Tibet's independence. For China, however, it was a major achievement. Chou Enlai En-Lai was aware that India's acceptance of Chinese sovereignty over Tibet by affixing Indian government's seal on the agreement was the biggest concession a foreign nation can make, when most nations were repudiating the occupation of Tibet.<sup>530</sup> Not only did India herself kowtow before China by accepting Tibet as a region of China but she even exerted pressure on Nepal to conclude a similar treaty that relinquished Nepal's extraterritorial rights over Nepalese citizens in Tibet.<sup>531</sup> Furthermore, in a much bolder step Nehru disowned what constituted the imperialist British's Tibet stand by juggling the words suzerainty and sovereignty and duly referring to Chinese sovereignty over Tibet.<sup>532</sup> John Lall, the Dewan (Prime Minister) of Sikkim, quoted a senior member of the Embassy in his *Aksaichin and Sino-Indian Conflict* says that the mistake of replacing suzerainty with sovereignty was deliberate. Whether deliberately or due to naivety, the Indian leader failed to distinguish between suzerainty and sovereignty. In an address to the Indian Parliament in 1950 Nehru overlooked the difference of the two terms and pointed out the fact of Chinese sovereignty over Tibet. He said:

I am not aware of any time during the last few hundred years when Chinese sovereignty or, if you like, suzerainty, was challenged by any outside country, and all during this period whether China was weak or strong and, whatever the Government of China was, China always maintained this claim to sovereignty over Tibet.<sup>533</sup>

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529 Along with the *Paanchsheela* agreement India also agreed to pull out its military escorts based in Gyantse and Dromo (Yatung), and as an expression of good will, declared its willingness to transfer the postal, telegraph and telephone installations operated by India to the Chinese government free of cost and without compensation.

530 *Times* (London) correspondent (29 July 1949) commented that "if India preferred to abandon Tibet to its fate, Western powers were in no position to object to Chinese takeover of Tibet". Dawa Norbu, *China's Tibet Policy*, p. 285.

531 B. N. Mullik, *My Years With Nehru: The Chinese Betrayal*, New Delhi: Allied Publisher, 1971, p. 65.

532 Ajay B. Agrawal, *India Tibet and China: The Role Nehru Played*, Mumbai: N A Books International, 2003, pp. 8-9.

533 Chanakya Sen, *Tibet Disappears: A Documentary History of Tibet's International Status, the Great Rebellion and Its Aftermath*, New Delhi: Asia Publishing House, 1960, p. 120.

The statement above clearly shows that in Nehru's mind the two terms, "suzerainty" and "sovereignty," were interchangeable and the distinction of the two holds no great significance. Criticisms still exist in Indian politics against Nehru's "political instinct" of seeing a world war brewing in the Korean crisis while neglecting the invasion that happened right across the Indian border which directly affected India's security. In an interview on 23 August 1950 Nehru was asked, "Why was the settlement of the Korean dispute vital to her interest?" Nehru answered, "India is vitally interested because peace of Asia is involved". To the next question: "Does India view with alarm the Communists efforts to control Tibet? If so, why?" Nehru answered, "India has no political or territorial designs in Tibet".<sup>534</sup> In *India Tibet and China*, Ajay B. Agarwal criticised Nehru for considering Korean crisis as an issue of life and death as it involved the peace of Asia and neglecting Tibet issue where India's peace was involved.<sup>535</sup> Criticism also came from his own government officials such as Sardar Patel, Dr. S. P. Mukherjee but Nehru persevered to befriend China even at the cost of abandoning Tibet's political status. Mahatma Gandhi summed up the two contrasting views of Nehru and Patel as "one a dove trailing messages of peace in the skies of the world, the other India's watchman staring at the northern frontier," Nehru for striving to end the war in Korea as well as the distrust between America and Communist China and Patel for focusing on China's moves in Tibet.<sup>536</sup>

Nehru understood the agreement of 1954 between China and India as representing more than what was explicitly contained therein. He expected that his gentleman's deal with China would honor India's claim over the Indo-Tibetan border and the special relationships that India had enjoyed with the Himalayan states, for which India legally conceded and recognised China's claim over Tibet. Nehru definitely must have expected a *quid pro quo* on the border issue for his concessions. However, Chinese gratitude for India became obvious in 1962 when the two went on war over border disputes. Both parties perceived the significance of the agreement differently. For Nehru the signing of the agreement was an achievement that confirmed the

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534 S. Gopal, *Selected Works of Jawaharlal Nehru*, Vol. 15, pp. 375-376.

535 Ajay B. Agarwal, *India Tibet and China: The Role Nehru Played*, p. 39.

536 Raj Mohan Gandhi, *Patel: A Life*, Ahmedabad: Navajivan Pub. House, 1991, p. 510.

northern frontiers to be “a firm and definite one”<sup>537</sup> and not open for further discussion.<sup>538</sup> But for Chou Enlai the agreement was simply an act of recognising China’s “historical right” in Tibet. On a condition that if India dissociated herself from Tibet and Tibetan Question China would respect India’s special relations with the Himalayan states. The latter pronouncement must have been a clever calculation as China is well aware that in a democratic country like India public opinion cannot be controlled and the condition would remain unfulfilled. But the far-sighted Nehru’s policy did not fathom this deliberation. A comparison of the concessions that the two made in the agreement reveals a great difference, what India gained was incomparable to that of China as China managed to put, explicitly, on the agreement all the concessions it was seeking whereas those India sought were not stated. A common judgment would have realised the loss India had endured however, Nehru did not realise he was outwitted by the Chinese counterpart and instead believed that his gentleman’s act had resulted in a new beginning of a friendly relation, though the price he paid for this was a huge loss for India. The actual Chinese interpretation of the agreement came to light when in the late 1950s the PRC violated the oral agreement by disregarding India’s vital security interests in the Himalayas and the military occupation of Tibet. China broke India’s outer ring of defence by sending troops to Tibet and later started with Nepal penetrated India’s inner ring of defence.

The PRC policies adopted towards India can be described as a profound strategy compounded by surface diplomacy. This is seen from the Chinese act of forming alliance with Pakistan to gain strategic edge over India thereby containing India’s regional supremacy in South Asia while seriously pursuing diplomatic relations with India whenever it feels vulnerable in Tibet.<sup>539</sup> China took the advantage of using India’s friendly overtures in consolidating their position in Tibet at a time when China was reeling under the world-wide condemnation and was militarily not sophisticated enough to challenge a joint Indo-American opposition. Nehru’s recognition of Tibet as a part of China helped the PRC to establish full fledged legal claims over Tibet and had direct implications on the Sino-Indian boundary dispute which Nehru either was

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537 Prior to the signing of the agreement all the political maps of India showed the northern borders extending from Kashmir to Nepal as “undefined” and the northeastern frontier as “undemarcated”.

538 Cited in D. R. Mankekar, *The Guilty Men of 1962*, Bombay: Tulsi Shah Enterprises, 1968, p. 138.

539 From 1954-58 and 1989-93 various Chinese dignitaries visited New Delhi. R. K. Jain (ed.), *China-South Asia Relations, 1947-1980*, New Delhi: Radiant Publishers, 1981, pp. 577-85.

not aware of or he overlooked. As Mao himself observed in 1952 that there was no popular support for Communists liberation of Tibet and the social base for planting Communism in Tibet was almost nonexistent.<sup>540</sup> Mao was apprehensive of a concerted effort of Indo-American force, as India by herself was not militarily capable of challenging the Communist takeover of Tibet.

The true Chinese political manoeuvres started to materialise right after India's recognition of Tibet as part of China in 1954 when China officially started to claim territory along the Indo-Tibetan border based on the provisions enshrined in the agreement. China used official Tibetan documents, the validity of which depended on India's acceptance of Tibet as part of China, as evidence to claim territorial rights along the boundary. Moreover, China held the logic that both the nations being anti-imperialists should not recognise the McMahon Line as a legally binding treaty since the treaty was signed with the British imperialists. In both 1962<sup>541</sup> and 1960<sup>542</sup>, regarding border dispute, Tibetan official documents were used to lay claims over the disputed areas. While employing such external policy China did not neglect consolidating its foothold in Tibet by strengthening its military base, completing four highways connecting Tibet to China proper and Xinjiang<sup>543</sup> and co-opting the traditional Tibetan ruling class. The past occurrences show that China was clever in handling both its external and internal policies simultaneously. Although from early on the Chinese strategists were well aware of their plans they nevertheless waited patiently for the right time to execute their plans. With the victory favouring their side China did not miss accusing India of interfering in their internal affairs when Indian public showed sympathetic support for the Lhasa revolt in 1959 which was the

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540 Mao Zedong, *Selected Works*, Vol. 5, Beijing: Foreign Language Press, 1977, p. 64.

541 In a letter, dated 5 November 1962, to Asian and African leaders regarding the boundary dispute Chou Enlai cited only Tibetan evidence to prove their claims. By declaring Aksai Chin as a part of Tibet's Zinjiang and Ngari districts Chou Enlai claimed it to be Aksai Chin as China's territory. *Premier Chou Enlai's letter to the Asian and African Countries on the Sino-Indian Boundary Question*, Beijing: Foreign Language Press, 1962, pp. 3-4.

542 Mr. Jagath S. Mehta, the chief Indian representatives at the 1960 Indian and Chinese officials' meeting on boundary issue, in his speech at the South Asian Seminar on "Non-Violence in the Modern World System," 2 October 1995, at the India International Center, New Delhi, stated that the Chinese officials presented 245 items of evidence of which most were official Tibetan documents. See Dawa Norbu, *China's Tibet Policy*, p. 287. An extensive material on the evidence presented by the Chinese and Indians on their boundary claims can be seen in *Report of the Officials of the Government of India and the People's Republic of China on Boundary Question*, New Delhi: Ministry of External Affairs, 1961.

543 Dawa Norbu, 'Strategic Development in Tibet: Implications for Its Neighbors', *Asian Survey*, vol. 19, no. 3. March 1979, pp. 245-259.

culmination of the Tibetan resistance movement that took place in Kham, Eastern Tibet, in 1952-53. The Khampa revolts in the mid 1950s might have provoked the Chinese to establish check-posts along the Himalayan ranges<sup>544</sup> and Indian public support for Tibet provided China with an opportunity to intensify their border claims to which India responded with infuriation escalating to the 1962 Sino-Indian war.

Initial Chinese border claims were concentrated exclusively in the western sector of the Himalayan range. China then was paranoid about a US backed India and Pakistan's threat against itself,<sup>545</sup> through Tibet and Xinjiang, therefore, rapidly completed the Qinghai-Tibet Highway in 1954 and the Aksai Chin Road in October 1957 with the establishment of military and police posts along the western sectors<sup>546</sup> to prevent external challenges. This Chinese apprehension and infuriation against its western neighbours intensified, especially India who China accused of involvement in the Tibetan revolt which culminated in the flight of the Dalai Lama in 1959 to India. It has been argued that India's granting of asylum<sup>547</sup> to the Dalai Lama strained the Sino-Indian relationship which never recovered.<sup>548</sup> Since then the Sino-Indian relations deteriorated as the border incidents became more violent and frequent exchange of communications ensued. According to Dawa Norbu within six months' period, September 1959 to March 1960, the two nations had exchanged thirty notes, eight letters and six memoranda<sup>549</sup> indicating the seriousness of the relation. The 1959 revolt can be understood as a significant factor in the deterioration of the Sino-Indian relation. To both the parties the 1959 revolt had implications of violating the context

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544 Check-posts were established at Aksai Chin, 24,000 sq. km in Ladakh, and Shipka La Pass, about 320 sq. km in the middle sector, and some 51,200 sq. km in the eastern sector.

545 In May and June 1959 Ayub Khan, the then President of Pakistan, is said to have called for joint Indo-Pakistan defence against the Chinese Communist threat. Pakistan was a member of SEATO and had chances of receiving the United States' backing. See L. J. Kavic, *India's Quest for Security: defence Policies 1947-1965*, Berkeley: University of California Press, 1967, pp. 68, 70s & 184.

546 China's precaution was not baseless as border incidents in the western sector such as Pangong Lake (28 July 1959), Longju (26 August 1959) and Kongka Pass (20 October 1959) occurred where the Chinese perceived the greatest danger of external intervention. Dawa Norbu, *China's Tibet Policy*, p. 289.

547 It should be noted that at a meeting with Chou Enlai, Nehru was told that were India to grant asylum to the Dalai Lama China would have considered it as an international behavior and accept the Indian position as confirming to International protocol and would not view it as an unfriendly act. The reference was made when the Dalai Lama nearly sought asylum in 1950 at the event of Chinese invasion. Tsering Shakya, *The Dragon in the Land of Snows: History of Modern Tibet since 1947*, p. 213.

548 S. Gopal, *Jawaharlal Nehru: A Biography*, Vol. 2, Delhi: Oxford University Press, 1979, p. 89.

549 Dawa Norbu, *China's Tibet Policy*, p. 289.



of the Panchsheel Agreement. What India considered as humanitarian act of granting asylum to the Dalai Lama was perceived as an internal interference by China, thereby breaching the non-interference of one another's internal affairs. And equally to India, despite Chou Enlai's assurances, China did not respect Tibetan autonomy.<sup>550</sup> More importantly China violated the Panchsheel principle of respect for each other's territorial integrity by disrespecting Indian border claims. The territorial dispute which is closely connected to Tibet became one of the most contentious issues to face China and India in present and in future as well. The Chinese claim on the disputed border areas was validated by India's recognition of Tibet as a part of China in 1954. The Chinese evidence on border claim, especially the McMahon Line, was based on the treaties that the thirteen Dalai Lama signed with the British India. Therefore, Tibet has remained a nexus to the Sino-Indian relations especially the border relation. Tension still exists though not visibly.

As in every hostile relation, China and India began to play dangerous game which led to 1962 war. Both the parties had their own allegations. India felt that China was undermining India's international stature and taking advantage of its superior geostrategic position to claim its authority over the undefined territories in the Himalayan ranges. In the Chinese case, they saw India's warm reception of the Dalai Lama as intended scheme to embarrass China in the world's eye and using the Dalai Lama as an ace up the sleeve to establish its border claims. India pretended that Tibet was not a factor to the deterioration of the Sino-Indian relation however, the study of bilateral relation shows that had India not insisted on the recognition of the McMahon Line established at the Simla Convention of 1913-1914 between Tibet and British India, or had it not conceded Tibet's sovereignty to China, the border issues would not have arisen. Thus the crux of the contention between India and China questions the legality of Chinese takeover of Tibet. The growing Chinese animosity against India can be seen in this pretext. Just before the eve of Sino-Indian war China signed border agreements with Burma, Nepal in 1960, Mongolian in 1962 and Pakistan in 1963. The Chinese border agreement with Burma and Pakistan remains as the British India had

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550 A. Appadorai, *Select Documents on India's Foreign and Relations 1947-1972*, pp. 521. Nehru in his statement to the Lok Sabha on 27 April, 1959 stated, "We hope still that the authorities of China, in their wisdom, will not use their great strength against the Tibetans but will win them to friendly co-operation in accordance with the assurances they have themselves given about the autonomy of the Tibet region."

subscribed. However, in the case of India, China remained inflexible and demanded that India give up recognising the treaty which is a British imperialist legacy.

In 1960 China diplomatically called on India to conduct a negotiation on the border issues, proposing for a replacement of the 1954 agreement to which India did not respond. Due to limited access to official documents it is not known who actually intruded first in the other's territory. But the fact remains that Indian populace was deeply hurt and humiliated by the 1962 War. For the Indian masses, Tibet's issue does not merely represent India's security concern but had a wider significance that was rooted in the strong cultural and religious bonds formed over many centuries.<sup>551</sup> The 1962 war helped Nehru and his associates to change their views on China. Until the border war Nehru aided by Panikar was cautious not to antagonise the Chinese even at the cost of incurring initial losses. This can be deduced from the lack of Indian official support while the public overwhelmingly supported Tibet's cause. In fact to silence China of accusing Indian's involvement in the Tibetan revolt the Indian government suppressed pro-Tibetan political activities in India throughout the 1950s. Fortunately for the Tibetans this 1950s Indian stand on China underwent a change which led to Indian support for Tibet both overtly and covertly. In 1963 Indian government established a special frontier force to train young Tibetans and two years later in 1965 Indian delegate at the UN for the first time openly supported for a Tibet resolution. The then Indian Prime Minister Lal Bahadur Shastri is said to have plans to recognise the Tibetan government-in-exile. However, that did not happen as the Prime Minister died all of a sudden which resulted in yet another twist in the Indian policy.<sup>552</sup>

In the 1970s India once again flirted with the idea of appeasing Beijing so as to forestall any Chinese intervention in the Bangladesh war of liberation from 1970-1971 or in the Himalayan border. Like its precedence India sang the mantra of "Tibet [being] a part of China," formulated to convey the message that India still had not lost her faith in its northern neighbour and that India had no plans to move beyond the Himalayas. This friendly gesture, to its Chinese counterpart, became even more necessary when Sikkim was assimilated into India during Indira Gandhi's leadership.

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551 A. Appadorai, *Select Documents on India's Foreign and Relations 1947-1972*, p. 521.

552 Swarn Lata Sharma, *Tibet: Self-determination among Nations*, New Delhi: Criterion Publication, 1988, p. 109.

For the first time India's diplomacy resulted in a concrete gain for India herself. Thereafter, India maintained a dualistic policy towards China by continuing its declaration of Tibet as a part of China, yet at the same time facilitated the Dalai Lama's internationalisation of the Tibet issue and its assistance to the Exiled Tibetan government. The two Asian rivals have their own cards to play against one another; China uses Pakistan, Kashmir and Northeast insurgency issues to undermine India's strength while India has only the Tibet card to play. Since 1962 war the two nations engaged in interfering in one another's domestic problems. Depending on India's relation with China and other international factors India's support for Tibetan demand for genuine autonomy oscillates.

Another factor that had boosted India's courage in dealing with China and the Tibet issue was its improved relation with the Soviet Union. Subsequent to the Sino-Soviet border clashes along the Ussuri River in 1969 and the consequent deterioration of the Sino-Soviet relation, Moscow, in the early 1970s, took an unprecedented interest in the Tibetan cause. This led to the Soviet's open declaration that it would support the Tibetan cause if and when the Dalai Lama requested it.<sup>553</sup> Whatever the rationale might have been, it definitely gave a wonderful opportunity for India and the Soviet Union to form a stronger alliance and strengthen India's deterrence against China. Nevertheless, it became a mounting pressure, which compelled China to initiate a serious dialogue with the Dalai Lama. At the same time, the collapse of the Soviet Union eased the Chinese fear of joint attacks from an Indo-Soviet alliance. Unless a bilateral agreement on the disputed areas along the Himalayan range is reached China and India are likely to live in a constant state of distrust and tension. Such a geopolitical condition between the two nations is detriment to the security of Asian subcontinent. Moreover, the current exorbitant defence expenditure by the two nations is a major setback for the national economy of the two nations. In the next chapter I will discuss in greater detail the Asian security concerns.

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553 *Phuntsok Tashi, Takla, Mi-tshe'i byung-ba brjod-pa* (An Account of the Life's Event), Vol. 3, Dharamsala: Library of Tibetan Works and Archives, 1995, pp. 140-141.

## **PART III SITUATION INSIDE TIBET**

### **Chapter 6 Autonomy in the Tibet Autonomous Region**

#### **3.6.1 Human Rights in Tibet: UN and China's Obligation**

To assess the conditions of human rights in China I compare the international standards of human rights and national norms as reflected in the nation's constitutions and how the principle in constitutions manifest in reality. In order to make this comparison, I will conduct a relatively close study of international human rights principles and the Chinese national constitution with a specific focus on the rights of ethnic minorities in the autonomous regions.

In 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR) (A/RES/217),<sup>554</sup> which proclaims, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". The Declaration further emphasises the right to life, liberty and security of person and exhorts that no one shall be subjected to torture or cruel, inhuman treatment or punishment. All are entitled to equal protection against any discrimination in violation of this Declaration and no one shall be subjected to arbitrary arrest, detention or exile. It also declared that no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. The declaration further asserts that everyone has the right to freedom of movement and residence within the borders of each state, and that everyone has the right to leave any country, including his own, and to return to his country. These rights as promulgated in the UDHR are 'the foundation of freedom, justice and peace in the world' and the member nations are morally obligated to uphold and observe them. However, the violation of these rights exists in many countries including the People's Republic of China.<sup>555</sup>

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554 Morsink, Johannes, *The Universal Declaration of Human Rights: origins, drafting, and intent*, Philadelphia: University of Pennsylvania Press, 1999.

555 Following the issue of torture in China, raised by Amnesty International at the Sub-Commission in 1987, the poor condition of human rights in China was brought up at the annual sessions of the Commission of Human rights and the Sub-Commission by its member states and the NGOs at one time or another. After the 1989 Tiananmen incident, in August the Sub-Commission on Prevention

A brief account of China's participation in the international covenants on human rights issues shall be explored after explaining the Chinese Government's position on human rights and democracy, which will help us understand the fundamental contentions on the perception of human rights in the international arena. Not every country values the human rights in the same way. The Chinese Government, for instance, taking a developmentalist<sup>556</sup> position considers "the right to subsistence [as]

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of Discrimination and Protection of Minorities passed a resolution expressing concerns about the events of June 1989, marking the first time censuring of a Permanent Member of the Security Council for its human rights performance. In the 1990 session of the Commission on Human Rights, the Secretary General presented a report on deplorable human rights condition in China based on materials compiled by the Amnesty International and other groups and a debate was held on whether to pass a resolution condemning China. In 1991, the Sub-Commission passed another resolution highlighting China's treatment of the Tibetan people and the long-term policies employed by the PRC in Tibet. The following year the Secretary General submitted a report on the situation in Tibet to the Commission as per the request made by the Sub-Commission in the previous year. In that same year in the 43<sup>rd</sup> session of the Sub-Commission, the Western European Community led by Germany drafted a resolution titled 'Situation in China/Tibet which was eventually defeated with by a procedural motion preventing the Commission from making any decision on the draft. The 1993 draft resolution on China at the Commission on Human Rights was also defeated. In 1994, in the 50<sup>th</sup> session of the Commission on Human Rights the Government of China was called upon to take further measures to enhance the observance of all human rights. The Commission also requested the Secretary General to prepare a report on China's human rights situation for its 51<sup>st</sup> Session. The 1995 US draft resolution on China at the Commission of Human Rights was defeated by a very small margin. In the next two years China resolution did come up at the sessions of the Commissions however with the same negative results. In 1998 both the European Union and the US stopped sponsoring resolutions on China at the Commission on Human Rights which apparently encouraged the Chinese government to increase repression against the dissidents. This change in the Chinese government's behavior backfired with the US government once again proposing a draft resolution on China at the 1999 Commission on Human Rights meeting. However China won a no-action motion against the resolution. The 2000 meeting of the Commission witnessed the same result with China defeating a U.S.-sponsored China resolution. See Ann Kent, *China, the United Nations, and Human Rights: The Limits of Compliance*, Philadelphia: University of Pennsylvania Press, 1999, pp. 58-64; Ming Wan, *Human Rights in Chinese Foreign Relations: Defining and Defending National Interests*, Philadelphia: University of Pennsylvania Press, 2001, pp. 106-128; *Summary Record of the 17<sup>th</sup> Meetings* Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 41<sup>st</sup> Session, UN Doc.E/CN.4/Sub.2/1989/SR.17(1989), pp. 11-12; *Summary Record of the 19<sup>th</sup> Meeting*, Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, UN Doc.E/CN.4/Sub.2/1989/SR.19 (1989), pp. 5-7; *Summary Record of the 37<sup>th</sup> Meeting*, Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 41<sup>st</sup> Session, UN Doc.E/CN.4/Sub.2/1989/SR.37 (1989), pp.4-5; Karen Reiersen and David Weissbrodt, 'The 43<sup>rd</sup> Session of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities: The Sub-Commission Under Scrutiny,' *Human Rights Quarterly* vol. 14. no. 2, May 1992, pp. 233-277; Reed Brody and David Weissbrodt, 'Major Developments at the 1989 Session of the UN Commission on Human Rights,' *Human Rights Quarterly*, vol. 11, no. 4, November 1989, pp. 586-611.

556 In general scholars on human rights have accepted three different views on human rights namely the universalism, cultural relativism and developmentalism. The Chinese government has variously propounded both the cultural relativist and developmentalist views of human rights. According to James Seymour China's leaders take a cultural relativist approach in matters of civil and political rights. See James Seymour, "Human Rights in Chinese Foreign Relation," ed. Samuel S. Kim, *China and the World: Chinese Foreign Relations in the Post-Cold War Era*, Boulder: Westview,

the most important of all human rights, without which the other rights are out of question”.<sup>557</sup> “Therefore, a country’s human rights situation should not be judged in total disregard of its history and national conditions, nor can it be evaluated according to a preconceived model or the conditions of another country or region”.<sup>558</sup> In 1997 Chinese former president Jiang Zemin, while on his state visit to the United States, is quoted in *The Washington Post* as saying that “the concepts on democracy and human rights and on freedoms are relative and specific ones, and they are to be determined by the specific national situations of different countries”.<sup>559</sup> On that same trip, in an interview he said, “One country’s human rights situation cannot be separated from the actual conditions of that country. Undoubtedly, there can be discussion on the human rights issue, but I hope that the West understands that our primary issue is to assure that all Chinese people have adequate access to food and clothing”.<sup>560</sup> This reflects the official position of the Chinese Government on human rights issues.

The Chinese government’s engagement in human rights issues occurred around the time of Deng’s introduction of reform in 1978. Ironically, the Western scrutiny of China’s human rights intensified around that same time. After taking the seat in the United Nations in 1971, the PRC strengthened its involvement in shaping the international human rights regime. It started attending the meetings of the UN Human Rights Commission as an observer in 1979 and then in 1982 became a member. It took part in various commissions, sub-commissions and working groups involved in different human rights activities. Within a period of several years the PRC became signatory to many conventions which I will enumerate below.

The Communist government in China, since its inception, has signed and ratified a

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1994, p. 203. However, according to Peter Van Ness, China foreign policy expert, PRC “endorsed the two key principles of universality of UN human rights standards, and indivisibility of priorities among those standards”. He continued stating that Beijing takes developmentalist approach to the implementation of UN standards for less industrialised countries, and “emphasizes the economic agenda over civil and political rights and group rights, especially self-determination, over individual rights”. Peter Van Ness, ‘Addressing the Human Rights Issue in Sino-American Relations,’ *Journal of International Affairs*, Issue 49, Vol. 2, winter, 1996, pp. 309-332.

557 Information Office of the State Council of the People’s Republic of China, ‘Human Rights in China, November 1991’, *White Papers of the Chinese Government (I) 1991-1995*, Beijing: Foreign Language Press, 2006, p. 54.

558 Ibid., p. 53.

559 ‘Clinton, Jiang reach nuclear accord: Presidents take jabs on human rights’, *The Washington Times*, 30 October 1997.

560 *The Washington Post*, 19 October 1997.

number of legal obligations under conventional international law including: 1) the Convention on the Prevention and Punishment of the Crime of Genocide;<sup>561</sup> 2) the Convention on the Elimination of All Forms of Racial Discrimination;<sup>562</sup> 3) the International Covenant on Economic, Social and Cultural Rights;<sup>563</sup> 4) the International Convention on the Suppression and the Punishment of Crime of Apartheid;<sup>564</sup> 5) the Convention of the Elimination of All Forms of Discrimination against Women;<sup>565</sup> 6) Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;<sup>566</sup> 7) Convention on the Rights of Child;<sup>567</sup> 8) the International Covenant on Civil and Political Rights.<sup>568</sup> Despite being a signatory to all these conventions, the CCP has so far failed to abide by these treaties and continues an unabated violation of these fundamental rights in the whole of China and more severely in the political sensitive minority regions.

### **3.6.2 The PRC's Constitution and Internal Law**

The Constitution of the PRC<sup>569</sup> provides basic rights to its people and reflects many of the principles that are enshrined in the UDHR, and it proclaims that the citizens of the PRC enjoy freedom of speech and press,<sup>570</sup> freedom of religious belief<sup>571</sup> and that all citizens of the People's Republic of China are equal before the law.<sup>572</sup> Citizens may not be arrested without the approval of people's court and unlawful deprivation or restriction of citizens' freedom of person by detention or other means is prohibited<sup>573</sup> and unlawful search of, or intrusion into, a citizen's home is also prohibited<sup>574</sup> by the

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561 The PRC ratified this convention on 18 April 1983. The source for all the United Nations convention ratification dates is from the UN official website:

<http://www2.ohchr.org/english/bodies/ratification/3.htm>.

562 Ratified on 29 December 1981.

563 Ratified on 27 March 2001.

564 Ratified on 18 April 1983.

565 Ratified on 4 November 1980.

566 Ratified on 4 October 1988.

567 Ratified on 2 March 1992.

568 Signed on 5 October 1998 but has not yet ratified.

569 The Constitution of PRC has been amended few times since its adoption in September 1954. The version that I have used was adopted in December 1982 with further revisions in 1988, 1993, 1999 and 2004. Wherever necessary I have provided the new amendments that had been made to the Constitution. The full text of the Constitution with the latest amendment adopted in March 2004 can be also viewed at the Chinese government website.  
[http://www.npc.gov.cn/englishnpc/Constitution/node\\_2830.htm](http://www.npc.gov.cn/englishnpc/Constitution/node_2830.htm)

570 Art 35.

571 Art 36.

572 Art 33.

573 Art 37.

574 Art 39.

Constitution. In spite of all these provisions various reports compiled and collected by NGOs and human rights organisations indicate the extensive violations of these rights, especially in the ethnic minority regions. Although all kinds of human rights violations are occurring in China such as religious persecutions against the Falung Gong practitioners,<sup>575</sup> persecutions against supporters of democracy in China,<sup>576</sup> severe restrictions imposed on the press and so on, I will not venture into those but will rather confine myself primarily to the human rights violations perpetrated against the Tibetans since my research focus is on Sino-Tibetan relationship.

Tibet is one of the 55 national minority groups<sup>577</sup> that had been granted the

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575 The Falun Gong, a popular spiritual movement, came out of obscurity in 1992 when its leader Li Hongzhi made it public. Drawn from Taoism, Chinese Ch'an Buddhism and the ancient Chinese physical practice of Qigong, its principles and practices encourage the practitioners to cultivate mind, body and spirit. It promotes truthfulness, compassion and forbearance and development of body's vital energy for healing and fitness. Due to its health benefits the Chinese government endorsed the Falun Gong practice from 1992 to 1998 and even issued certificates of award to Falun Gong. Although it has no official membership, no subscriptions, or official temple or church, the Chinese Ministry of Public Security, in 1998, stated that there were 70 million followers in China and about 30 million abroad. As the number of practitioners increased the Chinese leadership started viewing it a serious political problem. In April 1999 the Chinese authorities were alarmed when 10,000 of its followers surrounded Zhongnanhai, the former royal palace where the Communist leadership lives and works, and conducted peaceful qigong exercises. The Chinese Prime Minister Zhu Rongji who came to listen to the woes of the people, was astonished to see a number of his fellow party officials among them. Three months later, on 29 July 1999, the regime branded the group as a "massive threat" and banned it in China. Since the official ban, the Chinese authorities have carried out brutal crackdowns on Falun Gong practitioners and tens of thousands of its practitioners have been arbitrarily detained and sent to labor camps without trial. Many of them were reported to have been tortured or subjected to ill-treatments in detention. Harsh punishments were meted out to those who have spoken out publicly about the persecution of practitioners. Numerous allegations were made against the CCP of inflicting live organ harvesting on the unwilling Falun Gong practitioners throughout China. Whenever the freedom of religion and belief is discussed at the UN commissions, the PRC faces hard time justifying its actions against the Falun Gong and other religious groups. The information contained herein are gathered from my interview with Dana Cheng, communication with a spokesperson of Falun Gong Mr. Erping Zhang and Hu Ping's 'The Falungong Phenomenon', *China Rights Forum*, no. 4, 2003, published by Human Rights in China.

576 Democracy Movement in Communist China began with the Advice and Petition movement in 1957, followed by the April 5<sup>th</sup> movement in 1976 and the Democracy Wall Movement in the late 70s. Many activists who participated in the Wall Movement were arrested and persecuted. Xu Wenli and Wei Jingsheng are the two most famous veterans of pro-democracy movements who were imprisoned for many years for their beliefs. The latest and probably the greatest democracy movement in the Chinese history is the Tiananmen Square pro-democracy movement of 1989. See Xu Wenli, 'The Democracy Movement in China', *World and I*, Vol. 14, February 1999; See also Wei Jingsheng, *The Courage to Stand Alone: Letters from Prison and Other Writings*, Published by Penguin, August 1998. I interviewed the two of the founding members of Democracy Movement in China, Xu Wenli and Wei Jingsheng, in April 2006. In that same month I also talked with a number of oversea Chinese democratic supporters, based in the US, to learn about the present state of democracy movement and the democratic system in China. For more detail see the next chapter, 'Dissident Chinese Views on Tibet'.

577 China has 56 ethnic groups of which the Han nationality comprises the majority of Chinese population with 91.6 per cent. Of the remaining 55 ethnic groups Tibetans, Mongols, Manchus, and



Autonomous status<sup>578</sup> and as such the constitutional rights provided by the PRC to the ethnic groups become pertinent. To safeguard the rights of the ethnic minority groups, the Constitution provides following rights: 1) Equal rights to all nationalities;<sup>579</sup> 2) Appropriate representation of the ethnic minorities in the National People's Congress and its Standing Committee;<sup>580</sup> and 3) the right to use the spoken and written languages of the minorities in court proceedings.<sup>581</sup> To safeguard these rights the Constitution accords the State Council among other things the functions and powers to administer and direct affairs concerning the nationalities, to protect the equal rights of ethnic minorities and the right of autonomy of the national autonomous areas.<sup>582</sup> In 1984 the Law on National Regional Autonomy<sup>583</sup> (LNRA) was adopted by the NPC to provide regional autonomy to the autonomous peoples. The national regional autonomy provided to the minorities<sup>584</sup> was first formulated in the Common

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Hui are the major ethnic groups.

578 So far there is no standardised international law that regulates the conduct of a state towards its autonomous areas. However according to Hurst Hannum, a professor of International Law at Tufts University, "a fully autonomous" territory should possess most of the following powers: 1) A locally elected legislative body endowed with some independent legislative authority with competence to control or influence the primary and secondary education, the use of language, the structure of local government, and land use and planning; 2) A locally elected chief executive entrusted with the responsibility for administration and enforcement of state and local laws; 3) An independent judiciary with full responsibility for interpreting local laws; and 4) Joint authority over common matters such as ports and communication facilities, police and exploitation of natural resources. Hurst Hannum, *Autonomy, Sovereignty and Self-determination: The Accommodation of Conflicting Human Rights*, Philadelphia: University of Pennsylvania Press, 1990, pp. 467-468.

579 Art. 4 of the PRC constitution. It claims that the state protects the lawful rights and interests of the minority nationalities and upholds and develops the relationship of equality, unity and mutual assistance among all of China's nationalities

580 Art. 59 and 65.

581 Art. 133. Compact community with larger density of minority nationality should be given the right to conduct hearings in the languages commonly used in the locality, with indictments, notices and judgments written in the languages in common use in the region

582 Art. 89.

583 The Regional National Autonomy Law is adopted by the Second Session of the Sixth National People's Congress on 31 May 1984 and became effective on 1 October of the same year. This law underlies the basic policy of the CCP to resolve the minority issues in China by applying the principles of Marxism-Leninism. This law can be viewed at:

<http://www.cecc.gov/pages/virtualAcad/index.phpd?showsing=9507&PHPSESSID=6e41652125e73876e6b4e050f86dbffa>.

584 The initial background of the minority rights can be traced back to the policies and propagandas of both the Nationalist Government and the Chinese Communist Party. The former Chinese Government, Kuomintang, had used the phrase "self-determination" in many of their documents including the Manifesto of the First Kuomintang National Convention. However, the phrase is generally interpreted as China's right to freedom from foreign imperialist influences. Sun Yat-sen, the founder of the Republic of China, strongly promulgated a unified China and the connotation of the phrase in his works is the right to "free alliance" of the different peoples in a free united Republic of China. See Leonard Shihilien Hsu, *Sun Yat-sen: His Political and Social Ideals*, Los Angeles: University of Southern California Press, 1933, p. 128 and 168; See also Sun Yat-sen, *The Three Principles of the People*, Taipei: China Publishing Co., Taiwan. Sun's successor, Chiang Kai-shek, followed the same policy until 1959 when he promised the Tibetans to meet their wishes

Program,<sup>585</sup> adopted by the 1<sup>st</sup> Plenary Session of the Chinese People's Political Consultative Conference (CPPCC) in 1949. The Common Program which served as a provisional constitution provided "regional autonomy" to areas where national minorities are concentrated.<sup>586</sup> It further granted the national minorities the "freedom to develop their spoken and written languages, to preserve or reform their traditions, customs, and religious beliefs".<sup>587</sup>

Especially, with regard to Tibet, the Common Program, more specifically the Articles 50 to 53, became the main point of reference of the 17 Point Agreement which later became the legal framework for Tibetan autonomy within the PRC.<sup>588</sup> The above mentioned Articles of the "Common Program" appeared at various points of the 17 Point Agreement, as parts of its Preamble and specific points. For instance the Article 50 appeared in the Preamble of the Agreement as "all national minorities have

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in accordance with the principles of national self-determination once the KMT regains the Mainland. See Dawa Norbu, *China's Tibet Policy*, p. 264. In Chinese Communist records the provision of self-determination to minorities like Tibet, Mongols and Uygurs occurred as early as 1920s and 1930s. The records even showed Communist leaders entertaining the idea of secession. However, it is obvious that Mao changed the Communist stance and denied self-determination once the Communist gained power. For details see Conrad Brandt, Benjamin Schwartz and John K. Fairbank, *A Documentary History of Chinese Communism*, Massachusetts: Harvard University Press, 1952, p. 63, 132, 243, and 313; See also George Moseley, *The Party and the National Question in China*, Massachusetts: Massachusetts Institute of Technology (The M.I.T. Press), 1966, pp. 51-82.

585 At the first Plenary Session of the CPPCC, held in September 1949 in Beijing, the delegates adopted three draft laws including the Common Program of the CPPCC and four resolutions: renaming Beijing as the capital of the PRC, adopting the Gregorian calendar as the chronological system of the PRC, selecting the "March of the Volunteers" as the national anthem of the PRC and adopting the flag with five stars as the national flag of the PRC. General Affairs Office of the CPPCC National Committee, *The Chinese People's Political Consultative Conference*, Foreign Languages Press, Beijing 2004, pp. 16-20.

586 Article 52 of the Common Program says: "Regional autonomy shall be exercised in areas where national minorities are concentrated, and various kinds of autonomous organisations for the different nationalities shall be set up according to the size of the respective peoples and regions. In places where different nationalities live together and in the autonomous areas of the national minorities, the different nationalities shall each have an appropriate number of representatives in the local organs of political power. All national minorities within the boundaries of the People's Republic shall have the right to join the People's Liberation Army and to organise the local people's public security forces in accordance with the unified military system of the state". Conrad Brandt, Benjamin Schwartz and John K. Fairbank, *The Important Documents of the First Plenary Session of the Chinese People's Political Consultative Conference*, Peking: Foreign Languages press, 1949, pp. 1-20; Theodore H. E. Chen, ed., *The Chinese Communist Regime: Documents and Commentary*, New York: Praeger, 1967, p. 34

587 Ibid., Art. 53 of the Common Program.

588 Tsepon W. D. Shakabpa, Zha-sgab dwan-phyug bde-ldan, *Bod-kyi srid-don rgyal-rabs*, Vol.2 (Kalimpong: Shakabpa House, 1976), p. 419. The Chinese Ambassador to India General Yuan Chung-Hsien handed a copy of the Common Program to Tsepon Shakabpa on 16 September 1950 and told him that Articles 50 to 53 of the Program would be implemented in Tibet. This is also mentioned in the *Tibet: From 1951 to 1991*, Beijing: New Star Publisher, 1991, p.57.

enjoyed the right of mutual equality, and have exercised, or are exercising, national regional autonomy”. Although the Article 52 is not listed among the 17 points the gist, however, occurred twice in the Preamble and the second part of it occupied four of the 17 points,<sup>589</sup> and finally the Article 53 was rewritten in the Agreement as its ninth and the tenth points. The comparison of the two documents clearly reveals that much of the materials of the 17 Point Agreement were drawn from the Common Program.

The LNRA allocates following powers to the autonomous peoples’ congresses: 1) The self-government of the national autonomous areas are empowered to adopt special policies and flexible measures depending on the local conditions to accelerate the economic and cultural development;<sup>590</sup> 2) The organs of self-government of national autonomous areas shall guarantee the freedom to use and develop the spoken and written languages of the nationalities and freedom to preserve or reform their folkways and customs;<sup>591</sup> 3) The organs of self-government shall guarantee the freedom of religious belief to the various nationalities. No one may compel citizens to believe in, or not to believe in any religion;<sup>592</sup> 4) The people’s congresses of the national autonomous areas shall have the power to “enact regulations on the exercise of autonomy and separate regulations in the light of economic and cultural characteristics;”<sup>593</sup> 5) The organs of self-government of autonomous area may alter or not implement if a resolution, decision, or order of a state organ at a higher level is not suitable to the conditions of the region after receiving approval of the state organ;<sup>594</sup> 6) The organs of self-government, under the guidance of state plans, shall independently design and administer local economic development plans in accordance with local needs;<sup>595</sup> 7) The organs of self-government of autonomous areas in accordance with state education laws shall decide on education plans including choosing curricula, enrollment, and language of instruction, spreading compulsory primary education, and establishing specialised schools for the nationalities that best suited them;<sup>596</sup> and 8) The organs of self-government in accordance with legal

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589 The points 2, 8, 13 and 16 of the 17 Point Agreement contained the essence of the Article 52 of the Common Program.

590 Art. 6 of the Regional National Autonomy Law 1984.

591 Ibid., Art. 10.

592 Ibid., Art. 11.

593 Ibid., Art. 19.

594 Ibid., Art. 20.

595 Ibid., Art. 25 & 26.

596 Ibid., Art. 36 & 37.

stipulations shall establish measures to control transient population and family planning.<sup>597</sup> However the ground reality in many of the ethnic minority regions is inconsistent with the principles enshrined in the Constitution and in the Chinese internal laws. In response to the numerous allegations and criticisms against the PRC's poor human rights records, the Chinese government has published many White Papers defending the human rights condition in China.

### 3.6.3 The PRC Government's White Papers: 1991 to 2005

Beginning from November 1991 the Information Office of the State Council of PRC has issued forty seven White Papers<sup>598</sup> till date, nineteen of which deal with human rights in China and six<sup>599</sup> of them deal with Tibetan issues with four White Papers focusing on the human rights in TAR. The first on Tibet was published in September

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<sup>597</sup> Ibid., Art. 43 & 44.

<sup>598</sup> At the time of writing this paper the Chinese government has published forty seven White Papers since in November 1991. I have listed them here starting from 2005: 1) China's Peaceful Development Road, 2) Building of Political Democracy in China, 3) China's Endeavors for Arms Control, Disarmament and Non-Proliferation, 4) Gender Equality and Women's Development in China, 5) New Progress in China's Protection of Intellectual Property Rights, 6) China's Progress in Human Rights in 2004, 7) Regional Autonomy for Ethnic Minorities in China, 8) China's National Defense in 2004, 9) China's Social Security and Its Policy, 10) Regional Ethnic Autonomy in Tibet, 11) China's Employment Situation and Policies, 12) Progress in China's Human Rights Cause in 2003, 13) China's Policy on Mineral Resources, 14) China's Non-Proliferation Policy and Measures, 15) History and Development of Xinjiang, 16) Ecological Improvement and Environmental Protection in Tibet, 17) China's National Defense in 2002, 18) Labor and Social Security in China, 19) The Development-oriented Poverty Reduction Program for Rural China, 20) Tibet's March Toward Modernization, 21) Progress in China's Human Rights Cause in 2000, 22) Fifty Years of Progress in China's Human Rights, 23) Narcotics Control in China, 24) China's Space Activities, 25) China's Population and Development in the 21<sup>st</sup> Century, 26) The One-China Principle and the Taiwan Issue, 27) The Development of Tibetan Culture, 28) China's National Defense in 2000, 29) National Minorities Policy and Its Practice in China, 30) China's National Defense, 31) The Development of China's Marine Programs, 32) New Progress in Human Rights in the Tibet Autonomous Region, 33) Freedom of Religious Belief in China, 34) On Sino-US Trade Balance, 35) Progress in China's Human Rights Cause in 1996, 36) The Grain Issue in China, 37) Environmental Protection in China, 38) The Situation of Children in China, 39) The Progress of Human Rights in China, 40) China: Arms Control and Disarmament, 41) Family Planning in China, 42) Intellectual Property Protection in China, 43) The Situation Of Chinese Women, 44) The Taiwan Question and Reunification of China, 45) Tibet: Its Ownership And Human Rights Situation, 46) Criminal Reform in China and 47) Human Rights in China. Sources: Collections of White Papers compiled by Information Office of the State Council of the PRC, viz., *White Papers of the Chinese Government (1) 1991-1995*, (published in 2000), *White Papers of the Chinese Government (2) 1996-1999*, (published in 2000), *White Papers of the Chinese Government (3) 2000-2001*, (2<sup>nd</sup> edition, published in 2003), *White Papers of the Chinese Government (4) 2002-2004*, published in 2005 by Foreign Language Press, Beijing. The White Papers are also available on the Chinese government website: <http://english.gov.cn/links/whitepapers.htm>.

<sup>599</sup> 1) Tibet: Its Ownership and Human Rights Situation, September; 2) New Progress in Human Rights in the Tibet Autonomous Region, February 1998; 3) The Development of Tibetan Culture, June 2000; 4) Tibet's March Toward Modernization, November 2001; 5) Ecological Improvement and Environmental Protection in Tibet, March 2003; and 6) Regional Ethnic Autonomy in Tibet, May 2004. See footnote 598 for the sources of these documents.

1992, entitled, *Tibet: Its Ownership and Human Rights Situation*,<sup>600</sup> in which Beijing justifies sovereignty over Tibet by providing comprehensive historical accounts of the two states dating from the Tang dynasty (618-907) to the present Communist rule. The paper claims that the royal marriage between the Chinese princess Wen Cheng and the Tibetan emperor Song-tsen Gampo (year) in the seventh century laid “a solid foundation for the ultimate founding of a unified nation,” the incorporation of Tibet under the Yuan dynasty in the thirteenth century, the exercising of political authority over Tibet by the subsequent dynasties and ultimately the liberation of Tibet by the PLA. The paper further proclaims that the PLA liberated Tibet from the imperialist aggressors and freed the Tibetan serfs from the harsh feudal system of old Tibet, thereby declaring “a great, epoch-making change in Tibetan history”. The second part of the White Paper highlights the extreme backwardness of social, political, economic and industrial conditions in Tibet and compares them to a rosy picture “achieved” under the Communist rule; obvious attempts to parry continuing thrusts from international NGOs and Human Rights groups on China’s deplorable human rights situations.<sup>601</sup> The next White Paper on Tibet, *New Progress in Human Rights in the Tibet Autonomous Region*,<sup>602</sup> published in February 1998, enumerates the outstanding economic developments achieved after the establishment of the Regional Autonomy system with the plethora of support from the Central Government. Giving precedence to the people’s rights to existence and development over all the other rights, the Central Government states that it has allocated huge amounts of investments in Tibet to speed up economic construction of the region.<sup>603</sup> Infrastructure developments involving network of communications and transportation consisting of air routes and highways, agriculture and water conservancy, energy and telecommunications, municipal engineering and social welfare were carried out with assistance from other provinces and municipalities. It also claims that with the introduction of the new

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600 Information Office of the State Council of the PRC, *White Papers of the Chinese Government (1) 1991-1995*, pp. 212-275.

601 The 1991 Sub-Commission resolution on Tibet called upon the Government of People’s Republic of China to fully respect the fundamental human rights and the freedom of the Tibetan people and requested the Secretary General to transmit information on the situation in Tibet provided by the Government of China and by other reliable sources to the Commission of Human Rights.

602 Information Office of the State Council of the PRC, *White Papers of the Chinese Government (2) 1996-1999*, pp. 278-303.

603 Ibid., p. 286. The White Paper provides a host of figures on the progress of the standard of living of the Tibetan people. For example, in 1997 the GDP of the TAR is said to have increased by 96.6 percent compared to 1991. In that same year the total grain output reached its highest in Tibetan history with total output of 820,000 tons.

political system in Tibet the Tibetan people today enjoy the political right “to participate in administration of state and local affairs on equal basis” and “independently administer local and ethnic affairs”. With regards to other rights Tibetans exercise freedom of religious belief and have better educational and health care access.

The remaining two White Papers generally speak of the huge achievements gained after the Democratic reforms of 1959. The White Paper of June 2000, entitled *Development of Tibetan Culture*,<sup>604</sup> reports the Central Governments’ special concerns towards the protection and preservation of the Tibetan culture, language and art, traditional medicine and Pharmacology. The White Paper claims of various progresses made in the entire spectrum of Tibetan culture, which was earlier monopolised by a handful of serf owners. The paper contains numerous statistics on the number of school, academic institutions, broadcasting and news publishing houses established by the Central Government. It states that the Central Government, being conscious of religious sentiment of the people, granted religious freedom by allowing people to observe religious festivals, reconstruction and renovation of some monasteries. The *Regional Ethnic Autonomy in Tibet (2004)*<sup>605</sup> describes the historical evolution of the regional ethnic autonomy, a sure guarantor for Tibetan people to be masters of their own affairs, and the political rights enjoyed by the Tibetans in various organs of the central and local government with keys positions held by the ethnic Tibetans in their own regions. The paper claims that Tibetans enjoy full decision-making power in economic and social development. Various government incentives and economic packages, including preferential lower interest rates on loans, exemption of taxes, lower rate of insurance premiums, enable the local Tibetan people to raise their living standard, a key goal for the 10th Five-Year plans, thus guaranteeing rapid and healthy progress of Tibet’s modernisation drive. It further reiterates the preservation of indigenous culture, promotion of health and education with consideration for religious freedom as Tibet marches toward modernisation.

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604 Information Office of the State Council of the PRC, *White Papers of the Chinese Government (3) 2000-2001*, pp. 118-143.

605 Information Office of the State Council of the PRC, *White Papers of the Chinese Government (4) 2002-2004*, pp. 510-536.

The Tibetan Government-in-Exile and other institutions,<sup>606</sup> in their responses to the Chinese White Papers, have strongly criticised the papers for its inconsistencies, inaccuracies and distortion of facts. However, to obtain a genuine, authentic and veritable account I intend to analyse these papers in greater detail by comparing them with the empirical reality based on my own field works (see Appendix 6, 7 and 10), reports by the UN special rapporteurs and internationally renowned NGOs' reports. Of all the topical issues I consider the following issues as the most crucial to the Tibetan people and hence will conduct comparative analyses on them.

### **3.6.4. Current Reality inside Tibet**

#### **3.6.4.1 The Real Power Wielder in the TAR**

As recounted earlier the PRC purportedly guarantees political rights to the minorities in its constitution and especially in LNRA of 1984. Despite these provisions the reality inside the TAR does not conform to the PRC's claims of self-government in the autonomous regions. In general the pivot of power in Communist China resides in the Party and the State, which along with the Army form the critical components of the Maoist State power structure. This structure is also evident at the local levels of autonomous regions where the Party Secretary holds the highest power. In the TAR until now all the Party Secretaries have been Chinese with "not a single Tibetan representative in the Han power structure which dominates Tibetan areas".<sup>607</sup> This fact is acknowledged in the *100 Questions About Tibet*, a Beijing Review publication, in which they provided lack of "stipulated qualifications" as the reason for not having Tibetan first secretaries of any previous Party Committee of the TAR. (See Appendix 5 for a detailed representation of Han power structure in Tibet from 1950 to 2006.)

In the case of the Chairman of the Regional People's Congress of the TAR, who is supposedly the head of the regional government, all of them so far have been of Tibetan nationality, as per the Art. 17 of the LNRA. The PRC claims that the primary

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606 The Exile Tibetan Government has published three White Papers so far of which two are direct responses to the Chinese White Papers. 1) *Tibet: Proving Truth from Facts* (1996); and 2) *Height of Darkness: Chinese Colonialism on the World's Roof* (2001), published by the Department of Information and International Relations, Central Tibetan Administration, Dharamsala (India). The Tibetan Youth Congress (TYC) has published two reports challenging the Chinese claims which are: 1. *Tibet: The Gap between Fact and Fabrication*, May 2005 and *The Wo(e)men in China and Tibet: A Study*, October 2005.

607 Dawa Norbu, 'Han Hegemony and Tibetan Ethnicity', vol. 32, no. 3, *International Studies*, Sage Publications, 1995, p. 304.

reason for appointing a citizen of the local nationality as the Chairman of the autonomous region is to protect the equal and autonomous rights of ethnic minorities; however, it is obvious that there are other strategic and propagandistic reasons such as convenient implementation of the Party directives<sup>608</sup> and maintaining an appearance of minority rule. The so called “self-government” provided to the minorities in the Constitution and the LNRA, which guarantee autonomy and the right to administer the internal affairs, is in essence ineffective as the Art. 19 of that same law explicitly states that the local people congress needs the approval of the Standing Committee of the National People’s Congress for any new regulations or modifications to existing resolutions. In other words, the local legislation is dependent upon the higher organs which thereby nullify the basic legislation power of the self-government.

An equally important aspect of a democratic government is the people’s right to elect their representatives who in their names run the government. This right is generally considered as a basic right of every human being as proclaimed in the Art. 21(3) of Universal Declaration of Human Rights, which states:

The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

The system of government in the PRC is democratic centralism, which is described as “centralism on the basis of democracy and democracy under centralised guidance”. Yang Fengchun in *Chinese Government* defines democracy as a system where all “Party organs must be elected...and can be replaced by the Party members”.<sup>609</sup> On the other hand centralism is defined as the administering every government function under the complete supervision of the Party leadership. Liu Shaoqi in his selected works states that centralism means “all meetings of the Party are called by the leading organs, all meetings proceed under leadership, all decisions and rules are made after full preparations and deliberation, all elections have lists of carefully considered candidates”.<sup>610</sup> Therefore the very notion of electoral rights granted to the Chinese

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608 The appointments of the Dalai Lama as the first Chairman, and of Panchen Lama thereafter, were primarily to gain the confidence of the Tibetan people through which the PRC hoped to maintain its grip on Tibet.

609 Yang Fengchun, *Chinese Government*, Beijing: Foreign Language Press, 2004, p. 29.

610 *Selected Works of Liu Shaoqi*, Vol. 1, Beijing: People’s Publishing House, 1981, p. 359. Likewise



citizens is debatable. In case of the autonomous regions where the self-government is said to exist the minority people's will to choose their own government is constrained by the limited choice of candidates who are pre-listed by the CPC. In the TAR where the Communist Party pre-determined the candidates based on their loyalty and the local Tibetans were told to vote from the listed candidates, genuine democratic election is nothing but a pretension. Through my own interviews with the Tibetan newcomers I learned that the candidates for the local people's congresses were pre-selected by the Party<sup>611</sup>

A careful examination of the current governing system of the TAR, the democratic election, the legislative and the executive power reveals that the PRC's claim of providing self-government to the minorities is unjustifiable and at odds with the ground reality. This also disproves the claims made in a recent White Paper that the "Regional Ethnic Autonomy is the fundamental guarantee for Tibetan people as master of their own affairs".<sup>612</sup> Hurst maintains that "an autonomous region should enjoy effective control over matters which are primarily of local concern, within the overall framework of the fundamental norms of the state," and "the state must adopt a flexible attitude which will enable the autonomous region to exercise real power, precisely when that exercise of power runs counter to the state's inherent preference for centralization and uniformity".<sup>613</sup> However, in the TAR, whether in executive, legislative or the democratic electoral system it is difficult to witness the Tibetan minority possessing effective control over matters of local concerns and the freedom to exercise real power and determine its political future. In the other two "traditional provinces of Tibet", Amdo and Kham, the Han hegemony of power is worse than the TAR since the Tibetans are in minority in those areas and they do not enjoy the provisions that are granted to the autonomous regions. Despite the PRC's designation of regions populated by minority nationalities in compact communities as

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in the present electoral system in the TAR, there exist a pre-determined listing of candidates. A former Party Secretary of Kolug Township, Nagchu County, claims, "We were at first appointed by the higher levels and then public voted for the selected candidates," quoted in *Annual Report 2001: Human Rights Situation in Tibet*, Dharamsala: Tibetan Center for Human Rights and Democracy, 2002, p. 70.

611 Almost all the Tibetan newcomers with whom I discussed the election system in the TAR unanimously testified to that. Interviews conducted in Dharamsala and Nepal in July-August 2005.

612 'Regional Ethnic Autonomy in Tibet', a White Paper published by the Information Office of the State Council of the PRC. See *White Papers of the Chinese Government (4) 2002-2004*, pp. 531-536.

613 Hurst Hunnam, *Autonomy, Sovereignty and Self-determination: The Accommodation of Conflicting Rights*, p. 468.

“autonomous regions” the present Communist Government does not provide any meaningful political autonomy to these entities. The CCP holds absolute political control over the whole state and the constitutional provisions of “self-government” to the autonomous regions become ineffective in true sense. The late Panchen Lama lamented, “It is not that we are not able to exercise power, but that we have not been given any power. A servant is naked not because he does not want to wear clothes, but because his master has not given him any clothes”.<sup>614</sup>

### **3.6.4.2 Religious Rights in the TAR<sup>615</sup>**

The Article 18 of the UDHR says:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The Article 36 of the PRC’s constitution states:

Citizens of the People’s Republic of China enjoy freedom of religious belief. No state organ, public organisation or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion. The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state. Religious bodies and religious affairs are not subject to any foreign domination.

Likewise the Article 11 of the LNRA, an internal law of the PRC for the national minorities, states:

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614 DIIR, *The Panchen Lama Speaks*, Dharamsala: DIIR, 1991, p. 4. This statement of the late Panchen Lama was given to the TAR Standing Committee Meeting of the National People’s Congress held in Beijing on 28 March, 1987.

615 Although Religious Rights come under the Civil Rights I treat it separately due to the significance of Buddhism in the cultural identity of the Tibetan people. In the recent decades the monks and nuns in Tibet have actively staged numerous demonstrations against the Chinese rule in Tibet which has led to harsh policies against the religious institutions in Tibet.

Autonomous agencies in ethnic autonomous areas guarantee the freedom of religious belief to citizens of the various nationalities...

Additionally the Article 251 of the PRC's Criminal Law mentions:

State personnel who unlawfully deprive citizens of their freedom of religious belief and infringe upon the customs and habits of minority ethnic groups, when the circumstances are serious, are to be sentenced to not more than two years of fixed-term imprisonment or criminal detention.<sup>616</sup>

In general five main religions are practised in China, viz. Buddhism, Taoism, Islam, Catholicism and Protestantism, all of which have long history etched in the Chinese civilisation. The current Chinese government proclaims flexibility in their religious policy, allowing “religious organisations to run their affairs independently, and set up religious schools, publish religious periodicals and run social service according to their needs”.<sup>617</sup> Not surprisingly, religious freedom is one of the core issues that worry Communist leadership the most. Whenever the party relaxes their religious policy, people tend to pledge more loyalty to their religious institutions which frighten the party of losing their influence over the mass. On the other hand severe restrictions on the religious freedom tarnish the image of the Party in the international arena. Thus the provisions in the Constitutions and internal laws on religious freedom are necessary yet impractical in reality for the Party to retain their absolute power.

In Tibet the religious issue is even more complicating to the Party as Buddhism is a significant part of the distinct Tibetan national identity and the Party suspects that it fosters nationalism. Secondly it is a unifying force that draws Tibetans from all the regions of Tibet into a collective unit which inculcates a sense of Tibetan nationhood. Thirdly it sustains the faith of the people in the Dalai Lama, the spiritual head of Tibetan Buddhist and the pan-Tibetan symbol, who according to the Party is a “splittist” and a “counter revolutionary”. For these reasons the CCP has been very

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616 ‘Freedom of Religious Belief in China’, a White Paper published by the Information Office of the State Council of the PRC, September 1992, p 37. See *White Papers of the Chinese Government (2) 1996-1999* published by Foreign Languages Press, 2000, pp. 247-248.

617 Ibid., p. 242.

intolerant to religious freedom in the TAR. In the post-Mao era people in China enjoyed relatively more religious freedom but depending on the regions different degrees of freedom are granted. In sensitive areas such as Tibet and Xinjiang, where the CCP perceives religion as a major factor of instability, severe restrictions have been imposed on religious freedom. For instance right from the time of democratic reforms in early 1950s the monastic communities in Eastern Tibet became the targets of revolutionary struggle wherein spiritual masters were subjected to inhumane treatments and the Buddhist monasteries and religious scriptures were destroyed. In *70,000 Character Petition*, Tibet's second highest religious leader, the late Panchen Lama accused the CCP of annihilating Buddhism and taking the religious culture to the verge of extinction.<sup>618</sup> He wrote that after the democratic reform more than 97% of Tibet's 2,500 monasteries were destroyed and 93% of Tibet 110,000 monks and nuns were reduced. The official explanation provided by the CCP is that the destructions were carried out during Cultural Revolution by "leftists" and that it happened in other parts of China too. However, the Panchen Lama's 70,000 petition stands as a testimonial to the falsity of the government's claims.

The International Commission of Jurists (ICJ) identified religious belief of the Tibetan people as the principal reason for Chinese repression against the Tibetans. In their 1960 report, the ICJ summarised the Chinese atrocities as "acts of genocide [that] had been committed in Tibet in an attempt to destroy the Tibetans as a religious group".<sup>619</sup> By the late seventies, when the economic liberalisation was initiated in China, Tibet's Buddhist culture and religious heritage were in ruins. The relaxation of religious policy after 1980 encouraged Tibetan devotees to contribute their resources for the restoration and rebuilding of the destroyed monasteries. This intermittent phase of leniency lasted but for a short while during which the religious institutions became the hub of the cultural revival. However by the mid eighties restrictive policies on religion were implemented haphazardly.<sup>620</sup> The next decade did not see much

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618 *A Poisoned Arrow: The Secret Report of the 10<sup>th</sup> Panchen Lama* (The full text of the Panchen Lama's 70,000 Character Petition of 1962), London: Tibet Information Network, 1997, p. 52.

619 ICJ, *Tibet and the Chinese People's Republic*, Geneva: International Commission of Jurists, 1960, p. 3.

620 Yin Ma & Xifu Ma, *Questions and Answers About China's National Minorities*, Beijing: New World Press, 1985, p. 75. The Document of the 'National Minorities Questions Editorial Panel' of the Nationalities Affairs Commission of the NPC states, "Religion poisons the minds of people with fatalistic conceptions. Lamaism constituted a major impediment to social progress of every minority nationality in which it had sizable numbers of adherents, including the Tibetans,

improvement in the religious policies. In 1994 the Third Work Forum on Tibet re-established severe policies to suppress the religious activities and curtail religious freedom. It identified the Dalai Lama as a root of Tibet's instability and carried out re-education campaigns not only in monastic communities but also among the Tibetan cadres to undermine the Dalai Lama's influence.<sup>621</sup> Limitations were set on the extent of monastic developments and the number of monks and nuns, the breach of which would result in severe punishment. The management committees such as Democratic Management Committees (DMC) interfered with purely religious matters such as deciding the Tibetan Buddhist reincarnations. In short the Third Work Forum set out few major points: 1) Ban on the construction of religious buildings without official permission; 2) Limitations on the number of monks and nun per monastery; 3) Re-education of the monks and nuns; 4) Denunciation of the Dalai Lama; and 5) To exercise control over the selection of the members of the DMC.<sup>622</sup> The dismal situation of religious rights in Tibet is expressed by the Special Rapporteur on Religious Intolerance, Mr. Abdelfattah Amor, in a report submitted by him to the Fifty-first session of the Commission on Human Rights where he states: "The Tibet Autonomous Region continues to encounter grave difficulties as far as religious tolerance is concerned".<sup>623</sup>

In the New Millennium, the CCP's religious policy in Tibet has not improved much and repression continued unabatedly. The Fourth Work Forum on Tibet, held in June 2001, approved the policies laid out by the previous forum and viewed the strict measures applied by the TAR administration to deal with protesters as accomplishments. The Forum decided to use economic development to win the hearts of Tibetan people and remove them from the spiritual influences of the Dalai Lama. For the Tibetans, Buddhism is the source of inspiration and strength and the hub that holds the communities together. With that as it is and with the Dalai Lama as the head of that religion, it is not surprising that the Communist Government employs

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Mongolians, Moinba and Tu minorities. So it is but natural that the unjust feudal system practised by the Lamaism should have been abolished to the satisfaction of both believers and non-believers."

621 For detail see, *Cutting off the Serpent's Head: Tightening Control in Tibet, 1994-1995*, TIN and Human Rights Watch/Asia, 1996.

622 Ibid., pp. 25-34.

623 'Special Rapporteur on Religious Intolerance, E/CN.4/1995/91, 22 December 1995', in *Legal Materials on Tibet*, Tibet Justice Center, p. 68.

systematic tools of violence to suppress any and every expression of dissatisfaction and unrest from the people. It is obvious what future plans are in store for the religious freedom in Tibet and ironically, the fate of Buddhism in Tibet, from the proposal of Chen Kuiyan, the Party Secretary in the TAR from 1992-2000, to the Central Government. Chen wrote, “An all-out effort must be made to eradicate Tibetan Buddhism and culture from the face of the earth so that no memory of them will be left in the minds of coming generations—except as museum pieces”.<sup>624</sup>

### 3.6.4.3 Population Transfer

The Fourth Geneva Convention on the Protection of Civilian Persons in Time of War, signed on 12 August 1949, states in its article 49 that:

The occupying power shall not deport or transfer parts of its own civilian population into the territory it occupies.<sup>625</sup>

The PRC signed this convention in 1949 and ratified it seven years later in 1956<sup>626</sup> thus agreeing to comply with the Convention. Despite that the PRC has failed to observe the mandates of the convention to the letter. From the various reform policies, development plans and administrative strategies, it is evident that the PRC is far from complying to the provisions of the convention. On the contrary, reputed organisations such as the UN Sub-commission on Prevention of Discrimination and Protection of Minority Rights,<sup>627</sup> International Commission of Jurists,<sup>628</sup> Human Rights Advocates<sup>629</sup> and International League for Human Rights<sup>630</sup> have alleged that China’s

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624 This excerpt is taken from ‘Statement from the Kashag’ on the 40<sup>th</sup> Anniversary of Tibetan Democracy Day September 2, 2000.

625 <http://www.unhchr.ch/html/menu3/b/92.htm>.

626 The Republic of China signed this convention on 10/12/ 1949 but it was ratified by the PRC on 28/12/1956. <http://www.icrc.org/ihl.nsf/WebSign?ReadForm&id=375&ps=P>.

627 At the forty-eighth session of the UN Sub-commission on Prevention of Discrimination and Protection of Minority Rights, the issue of Chinese population transfer into Tibet was discussed. A number of NGOs such as Amnesty International, Disabled People’s International, Habitat International Coalition, International Fellowship of Reconciliation, International League for Human Rights and Law Association for Asia and the Western Pacific submitted reports on human rights violations in Tibet. China, in response to various criticisms, emphasised that “the Chinese government has never formulated and implemented the plan of emigration to Tibet”. See Secretary General’s Report: Situation in Tibet, E/CN.4/1992/37, in *Legal Materials on Tibet*, Tibet Justice Center, p.13.

628 ICJ, *Tibet: Human Rights and the Rule of Law*, p. 120.

629 ‘Question of the Violation of Human Rights and Fundamental Freedoms in Any Part of the World, with particular reference colonial and other dependent countries and territories,’ a written statement submitted by Human Rights Advocates to the 50<sup>th</sup> Session of the Commission on Human Rights.

massive population transfer into Tibet is a breach of the Art. 49 of the Fourth Geneva Convention. Until 1994 the Chinese government had consistently and categorically repudiated all allegations of practising the policy of population transfer into Tibet albeit it had carried this out in earnest in the 1980s<sup>631</sup> with the launch of “Help Tibet Prosper” campaign.<sup>632</sup> However in that year, the Chinese government acknowledged the official policy of encouraging Chinese settlers into Tibet. At the opening ceremony of the Third Work Forum on Tibet, Chinese President Jiang Zemin states:

While paying attention to promoting Tibet’s fine traditional culture, it is also necessary to absorb the fine cultures of other nationalities in order to integrate the fine traditional culture with the fruits of modern culture. This will facilitate the development of socialist new culture in Tibet.<sup>633</sup>

The need for integration of Tibet’s tradition with the modern culture, as mentioned by Jiang Zemin in his speech, was translated into policies of massive importation of Chinese into Tibet. The Third Forum approved and legitimised the policy of encouraging non-Tibetan entrepreneurialism in Tibet, the policy of moving Chinese to Tibet and the “colonization of Tibet”. *A Golden Bridge Leading into a New Era*, which contained the summarised Third Work Forum policies, states:

The focal point of the policy of opening the door wider in Tibet should be towards the inner part of the country... We should encourage traders, investment, economic units, and individuals to enter our region to run different sorts of enterprises... When assigning cadres from the inner

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E/CN.4/1994/NGO/23, 8 February 1994.

<http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/0205adb21d46988b8025676e0038cc6f?OpenDocument>.

630 ‘Freedom of Movement,’ a written statement submitted by the International League for Human Rights to 51<sup>st</sup> Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. E/CN.4/Sub.2/1999/NGO/10, 24 June 1999.

[http://www.unhchr.ch/Huridocda/Huridoca.nsf/\(Symbol\)/E.CN.4.Sub.2.1999.NGO.10.En?OpenDocument](http://www.unhchr.ch/Huridocda/Huridoca.nsf/(Symbol)/E.CN.4.Sub.2.1999.NGO.10.En?OpenDocument).

631 The first major population transfer occurred in early 1957 when the Beijing government announced that large numbers of civilians between 30,000 and 50,000 were being transferred to Tibet to resettle and reclaim wastelands. As Mary L. Niemi writes the population transfer served the purpose of breaking up “counter-revolutionary” groups in Tibet and attracting Tibetans closer to the Chinese through intermarriage. From then on for varying purposes the Chinese government had continued with the population transfer policy. Mary L. Niemi, ‘Recent Trends in Chinese Communist Control of Tibet’, *Far Eastern Survey*, vol. 27, no. 7, July 1958, p. 105.

632 DIIR, *Tibet Under Communist China: 50 Years*, Dharamsala: Department of Information and International Relations, September 2001, p. 47.

633 ‘Third National Work Conference on Tibet 20-23 July’, *NCNA*, Beijing, 26 July 1994, in *FBIS-CHI-94-144*, 27 July 1994. Quoted in ICJ’s *Tibet: Human Rights and the Rule of Law*, p. 109.

parts to work in Tibet we should be far-sighted and strive to have cadres living and working long-term in Tibet... The Central Committee has divided the tasks and responsibilities among other provinces within set time limits to support Tibet with people from all walks of life as we have requested. This is a new strategy corresponding to a new era in which we need to sum up our past experiences and find ways to perfect our work.<sup>634</sup>

The implementation of these population transfer policies has been a nation-wide effort involving *inter alia* Ministry of Personnel, the Government official media, the Provincial governments, the Provincial armies and of course the administration of the TAR.<sup>635</sup> However, the Chinese government rejected the criticisms made by the exile Tibetans and the Tibet support groups by maintaining steadfastly the claims that only skilled workers, technicians and intellectuals were brought into Tibet to improve the economy of the region.<sup>636</sup> Yet according to statistics, as of 1990, the total number of Chinese in the TAR was 80,837 (excluding the army personnel) compared to Tibetan population of 2.196 million.<sup>637</sup> However, the Tibetan Government-in-Exile puts the number of Chinese living in the TAR at 1,400,000 and in the traditional Tibet at 7,945,000.<sup>638</sup> The discrepancy in the figures could be partly due to the unavailability of reliable statistics and partly due to the failure to include the floating Chinese population in Tibet, the PLA and People's Armed Police (PAP) in the census.<sup>639</sup> Several major events were responsible for the huge influx of Chinese settlers in Tibet: first the invasion of Tibet during which 40,000 PLA soldiers and a large number of

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634 *Cutting Off the Serpent's Head: Tightening Control in Tibet, 1994-1995*, p. 154, 167-168. Based on evidence from an excerpt from 'Tibet Expanding Ties to Inland Provinces,' Beijing *Liaowang*, 18 September 1995, quoted in ICJ, *Tibet: Human Rights and the Rule of Law*, it was obvious that the colonisation was the cornerstone of Chinese Policy in Tibet. The report says that following the Sichuan army, which had a head start in moving into Tibet, the Shaanxi army, Hunnan army, Zhejiang army and migrant workers from Qinghai, Gansu, Guizhou, Shandong, Henan and other provinces also moved into Tibet, for whom "Tibet is a virgin land."

635 For instance in 1994, 400 students from China applied for 100 posts in Tibet which was advertised by the Ministry of Personnel. In February 1995 the Chinese government announced that 1000 outstanding officials and technicians from inland China would be sent to the TAR on a rotation basis. Various national and regional media such as *Xinhua*, *Tibet Daily*, Tibet radio promoted the Chinese government's new policy. In Lanzhou, the provincial capital of Gansu, large billboards urging patriotic Chinese to "Migrate to Tibet" were sighted. Antonia J. Shouse, 'Environmental Alert on the Tibetan Plateau', *Bulletin of Concerned Asian Scholars*, Vol. 25, 1993.

636 'China Denies Population Transfer into Tibet', *Xinhua*, 12 June 1997.

637 *China Statistical Yearbook 1992*, Beijing: China Statistical Publishing House, 1993.

638 These figures were given to the ICJ by the Tibetan Government-in-Exile in Dharamsala in December 1996. ICJ, *Tibet: Human Rights and the Rule of Law*, p. 116.

639 The actual number of Chinese troops in the TAR is believed to be 80-100,000 in an estimation given by Robbert Barnett, at Bundestag Hearing on Tibet on 19 June 1995.



cadres moved into Tibet; secondly the 1984 Work Forum on Tibet which brought an estimated 60,000 Chinese workers associated with the 43 projects launched at the Forum<sup>640</sup> and thirdly the 1994 Work Forum on Tibet which encouraged mass migration of labourers connected with the 62 construction plans that were contracted to provincial and municipal firms in Chinese interior.<sup>641</sup>

Tibetans and Tibet support groups consider the massive transfer of Chinese population into Tibet as the most serious threat to the Tibetan national identity and a “final solution to the Tibetan problem by making the Tibetan population an insignificant and disenfranchised minority in Tibet itself”.<sup>642</sup> The earlier precedence of reducing the Mongolians into a minority in Inner Mongolia<sup>643</sup> and the rapid increase of Chinese population in Eastern Turkestan (Ch: Xinjiang), especially after the completion of the Lanzhou to Urumqi railroad in 1954,<sup>644</sup> send fear in the hearts of Tibetans as they apprehensively watch it happening in Tibet. (Closer to home is the case of Golmud, a vast, pastoral land inhabited by only a few hundred Tibetan nomads which was turned into the second-largest town in Qinghai with 200,000 inhabitants, of whom only 1.8 percent are Tibetans.) Be that as it may, the impacts of population transfer policy are detrimental to the very survival of Tibetan people’s cultural and national identity. Politically speaking the population transfer policy would violate the Tibetan people’s right of self-determination which the UN General Assembly recognised twice in its Resolutions passed in October 1961 and 1965. The policy would inevitably lead to the dilution and dissolution of distinctive characteristics of Tibetan people. Tibetans dread that the much hyped “sky line,” the Qinghai-Tibet railway, would rapidly accelerate the process of sinicisation. According to the estimation of the researchers of Institute of Peace and Conflict Studies, approximately 20 million Chinese would be brought to Tibet by 2015 by the Qinghai-Tibet Railway.<sup>645</sup> The Human Rights Advocate in its

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640 Tsetan Wangchuk Sharlo, ‘China’s Reform in Tibet: Issues and Dilemma’, *The Journal of Contemporary China*, vol. 1, no. 1, Fall 1992, p.50.

641 ICJ, *Tibet: Human Rights and the Rule of Law*, p. 110.

642 The 14<sup>th</sup> Dalai Lama, *Five-Point Peace Plan for Tibet*, 1988.

643 Human Rights Watch/Asia, *Crackdown in Inner Mongolia*, New York: Human Rights Watch/Asia, 1991, p. 18.

644 Donald H. McMillan, *Chinese Communist Power and Policy in Xinjiang (1949-1977)*, London: MacMillan, 1979, p. 65.

645 Urnashi Aneja & Atul Kumar, ‘Tibet: Connectivity, Capabilities and Consequences’, *Institute of Peace and Conflict Studies (IPCS)*, Article no. 2085, 2 August 2006, <http://www.ipcs.org/newKashmirLevel2.jsp?action=showView&kValue=2101&subCatID=null&mod=null>.

written statement to Commission of Human Rights says, “The effects of this dramatic increase of Chinese settlers on the land and indigenous people of the Tibetan plateau are reported to be considerable. Population transfer is closely connected with genocide and is at least arguably a crime against mankind, inherently discriminatory and fundamentally destructive of cultures whose cohesiveness is integrally connected to particular land”.<sup>646</sup>

#### **3.6.4.4 Civil and Political Rights**

The Article 3 to 21 of the UDHR<sup>647</sup> provides the basic civil and political rights with Article 9 specifically prohibiting the member states from practising arbitrary arrest and detention which are often used by the governments to enforce their ideology and suppress dissenting voices.

The Article 9 of the UDHR states:

No one shall be subjected to arbitrary arrest, detention or exile.

The PRC’s constitution (Art. 37) provides that:

No citizen may be arrested except with the approval of or by decision of a people’s procuratorate or by decision of a people’s court, and arrests must be made by a public security organ. Unlawful deprivation or restriction of citizens’ freedom of person by detention or other means is prohibited; and unlawful search of the person of citizens is prohibited.<sup>648</sup>

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<sup>646</sup> For detail see, *Cutting of the Serpent's Head*, published by TIN and Human Rights Watch Asia, 1996.

<sup>647</sup> Article 3: the right to life, liberty, and security of person; Article 4: freedom from slavery and servitude; Article 5: freedom from torture or cruel, inhuman and degrading treatment or punishment; Article 6: right to recognition as a person; Article 7: right to equal protection before law without discrimination; Article 8: right to an effective remedy for violation of fundamental rights; Article 9: freedom from arbitrary arrest, detention or exile; Article 10: right to fair trial; Article 11: right to be presumed innocent until proven guilty; Article 12: freedom from arbitrary interference with privacy, family, home or correspondence; Article 13: right to freedom of movement and residence, right to leave and return to one’s own country; Article 14: right to seek asylum; Article 15: right to nationality; Article 16: right to marry and to found a family; Article 17: right to own property; Article 18: freedom of thought, conscience and religion; Article 19: right to freedom of opinion and expression; Article 20: right to peaceful assembly and association; and Article 21: right to participate in the government functions and equal access to public service.

<sup>648</sup> The 1982 PRC Constitution.

Both the international and internal laws comprise a powerful obligation on the part of the PRC to honour the above mentioned principles. But China is still a nation that is criticised by the International community for its Criminal law which contains many stipulations that run counter to the principles of the UDHR and ICCPR.<sup>649</sup> Examination of the PRC's Constitution reveals that the country enshrines the basic civil and political rights that are set forth in the UDHR. However, a nagging question remains: Why then is China one of the most criticised countries in terms of its human rights conditions? Although my limited knowledge on international law confines me from speaking expertly on the subject I still see several factors that leave the Chinese leadership with leeway to exercise their rigid control in violation of civil rights. First, within the Constitution many articles on civil rights contain clauses<sup>650</sup> that clearly provide anchors for the State and the Party to manipulate the Constitution to keep a tight grip on power. Secondly, the need to protect the State unity, the Party leadership and the Socialist system of China overshadows everything else in the constitution including the civil and political rights of the citizens.<sup>651</sup> Thirdly, lack of clear-cut delineations of individual rights—such as freedom of expression and religious belief, of assembly and free press—and of what constitutes violation of the State security and social stability leaves much room for authorities to practise arbitrary arrests and detentions. Frequently, individual rights have been violated in the name of protecting State security and social stability. Perry Link, professor of East Asian studies at Princeton University, describes this aspect of the Chinese system, particularly the vague standard of defining spying in China, in connection with the arrests of sociologists Gao Zhan and Li Shaomin in the early 1991.<sup>652</sup> In his essay ‘The

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649 The PRC has signed the International Covenant on Civil and Political Rights on 5 October 1998 but has not ratified it yet.

650 Article 36 of the PRC Constitution provides religious freedom but it states that using religion to engage in activities that disrupt public order, impair citizens' health or interfere with the educational system of the state is prohibited. However, it is not defined what constitute disruption of public order and impairing the health of citizens. Likewise, Article 40 guarantees the freedom and privacy of correspondence of citizens but stipulates that in cases of state security and criminal investigation public organs are permitted the censorship of correspondence. Once again what constitute breach of state security is not described leaving much freedom to the authorities. Other Articles and the Preamble speak of safeguarding the unity of country for which any action is deemed lawful.

651 The Preamble of the Constitution contains, “The Chinese people must fight against those forces and elements, both at home and abroad, that are hostile to China's socialist system and try to undermine it.”

652 ‘Trial of scholar jailed in China expected soon’, CNN, 19 July 2001. Gao Zhan, a political scientist and permanent resident of the US, was charged with espionage and arrested in the mid of February of 2001. Li Shaomin, a US citizen, was also accused of collecting the materials for Military Intelligence Bureau of Taiwan's Ministry of National Defence and was later deported from China.

Anaconda in the Chandelier: Censorship in China Today,<sup>653</sup> Link explains the Chinese practices of vague accusations and arbitrary arrest. Link writes, “China’s constitution itself illustrates this handy flexibility. It provides that citizens have freedom of speech, of assembly, and of the press. But its preamble also sets down the inviolability of Communist Party rule, Marxism-Leninism-Mao-Zedong-Thought, the dictatorship of the proletariat, and the socialist system. The huge space between these two contradictory poles (both of which, by the way, are poor descriptions of the actual patterns of life in China) gives leaders immense room to be arbitrary while still claiming to be legal”.<sup>654</sup>

In Tibet the situation is even worse as any form of political or social expressions that symbolise the distinctiveness of Tibetan national identity, that identify and pay reverence to the Dalai Lama as the leader of Tibet and that go counter to the state policy can be dealt with harsh and swift persecutions. Thousands of Tibetans have been detained since the late 1987, the year when the first of a series of demonstrations shook Lhasa and other parts of Tibet, and especially after the martial law was imposed in Lhasa in March 1989. Although many have been released after short periods of time, hundreds including purely political prisoners continued to be in detention without trial. An Amnesty International report stated that in early 1992, more than 200 prisoners of conscience and political prisoners were known to be detained and serving terms of “re-education through labour” without trial.<sup>655</sup> Human Rights Watch/Asia on the other hand reported that in 1993 alone, a year considered as the worst year for political arrests and trials in China since mid-1990, Tibet alone accounted for 80 per cent of the total.<sup>656</sup> The severity of the situations in Tibet which remained largely hidden from the outside world is evident from these reports. In yet another meticulous and detailed TIN report it was claimed that from 1987 to 2001 there were 1900 cases of Tibetan political imprisonment in Tibet.<sup>657</sup> Detainees include Tibetan monks and

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653 Perry Link, ‘The Anaconda in the Chandelier: Censorship in China Today’, *Asia Program Special Report*, no. 102, April 2002, Asia Program, Woodrow Wilson Center Asia Program, pp. 3-7.

654 Ibid., p.5.

655 Amnesty International, *People’s Republic of China: Repression in Tibet, 1987-1992*, (AI Index: ASA 17/19/92), London: Amnesty International, May 1992, p. 1

656 Human Rights Watch/Asia, *Detained in China and Tibet: A Directory of Political and Religious Prisoners*, New York: Human Rights Watch, February 1994, p. xi. The total number of the political arrest made in whole of China that year was 250, of which 200 were Tibetans.

657 Steven D. Marshall, *In the Interests of State: Hostile Elements III-Political Imprisonment in Tibet, 1987-2001*, London: TIN, 2002, p. 3. In the *Hostile Element* series there are three books in total,

nuns arrested for peacefully demonstrating and advocating Tibet's independence from China, people who were in possession of banned books on the Dalai Lama, Tibetans who were accused of instigating demonstrations and distributing leaflets and those who resisted the Communist ideological indoctrination.

Few case histories will reveal the inconsistencies between China's Constitutional provisions and the empirical reality in Tibet and that China fails to uphold the Article 9 of the UDHR to which China is a signatory. Yulo Dawa Tsering, a respected monk from Gaden monastery in Lhasa and a former political prisoner who had spent 20 years in prison for participating in the March Uprising of 1959, was detained again in December 1987 for expressing his views on the dismal human rights situation in Tibet in a video interview. He was later sentenced to ten years' imprisonment for what the official Radio Lhasa called "viciously vilif[ying] the policies adopted by the Chinese Communist Party and the People's government" and spreading "reactionary views".<sup>658</sup> Amnesty International considered Yulo Dawa Tsering "to be a prisoner of conscience, imprisoned solely on account of his peaceful advocacy of political views". Although Amnesty International appealed the PRC authorities to allow an observer to his trial, the request was ignored.<sup>659</sup> Three weeks after his release on 6 November 1994, Yulo Dawa Tsering is said to have met with the Special Rapporteur on Religious Intolerance who was visiting Tibet to appraise the religious situation there.<sup>660</sup> Another famous Tibetan political prisoner is Tanak Jigme Sangpo, a 72 year old former primary school teacher who was considered an authority on Tibetan history, literature and language. He was initially arrested in 1959 and sentenced to three years for "corrupting the minds of children with counter-revolutionary ideas".<sup>661</sup> Tanak Jigme was released and arrested several times since his initial imprisonment before he was finally sentenced to 15-year imprisonment in 1983 for criticising the Chinese authority. His sentence was prolonged twice, one in 1988 and the other in 1992, to a total of more than three decades. Both the times he shouted pro-independence slogans

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*Hostile Elements-A Study of Political Imprisonment in Tibet: 1987-1998 and Suppressing Dissent: Hostile Elements II-Political Imprisonment in Tibet, 1987-2000*, which give an extensive and detailed account on the political prisoners in Tibet.

658 Amnesty International, *People's Republic of China: Repression in Tibet, 1987-1992*, pp. 9-10.

659 Ibid., p. 10.

660 'Special Rapporteur on Religious Intolerance, E/CN.4/1995/91,' in *Legal Materials on Tibet*, Tibet Justice Center, sp. 68.

661 Human Rights Watch/Asia, *Detained in China and Tibet: A Directory of Political and Religious Prisoners*, p. 199.

while in prison—one on 5 October 1987 in support of mass demonstrations happening in Lhasa at the time and the other during a Swiss delegation’s visit to his prison. The Chinese authorities quickly whisked away the delegates and explained that the prisoner was mad.<sup>662</sup> In 2002, Tanak Jigme, Tibet’s longest political prisoner, was released on medical grounds after spending 37 years in prison where he endured the worst forms of torture including “cold cell torture” in which the prisoner was left in a cell lined with cold metal sheets designed to lower the cell temperature.

Among the female political prisoners, the Drapchi nuns are probably the most famous ones. There were 14 nuns in total who were arrested for participating in peaceful demonstrations and calling for Tibet’s independence. While in prison these nuns composed, sung and recorded emotion laden songs which were smuggled out of the prison. The Chinese authorities learned about it and extended their jail terms. Ngawang Sangdrol, the youngest prisoner amongst them, was arrested at the age of 13 for participating in a peaceful protest outside Norbulingka in Lhasa and imprisoned at Gutsa Detention Centre where “juveniles detained for political reasons... were held together with adult prisoners rather than in the juvenile section of the facility”.<sup>663</sup> She was rearrested in 1992 for joining another protest and sent to Draphchi jail where she suffered unimaginable tortures that include six month solitary confinement in complete darkness. In July 1996, a further nine years were added to Ngawang’s sentence for her “refusal to stand up when an official entered the room during a political re-education session”<sup>664</sup> and shouting “Free Tibet” during a punishment session, bringing the total sentence term to 18 years. In 1995, the UN Working Group on Arbitrary Detentions declared that Ngawang had been persecuted for “exercising her rights to freedom of opinion” and thus called on China for her release.<sup>665</sup> She was eventually released on medical grounds at the age of 24 after she had spent 12 years in prison.

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662 Ibid., p.199.

663 ‘Question of the Human Rights of All Persons Subjected to any Form of Detention or Imprisonment, in Particular: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment’, a report of the Special Rapporteur, Mr. Nigel S. Rodley, submitted to the Fifty-second session of the Commission on Human Rights, E/CN.4/1996/35, 9 January 1996.

664 Information about the 14 Drapchi nuns can be viewed at Free the Drapchi 14 website: <http://www.drapchi14.org/drapchi14/nuns/NgawangSangdrol.php>.

665 Tibetan Centre for Human Rights and Democracy, *Annual Report, 1996: One More Year of Political Repression*, Dharamsala: TCHRD, 1996.

The UN Working Group on Enforced or Involuntary Disappearances in its annual report, E/CN.4/1995/36, on “enforced disappearances” to the Commission on Human Rights points out that there were 53 cases of disappearance that took place in China between 1988 and 1990, of which “the majority of the persons alleged to have disappeared were Tibetans engaged in activities in favour of Tibetan independence”. Nineteen of them were Tibetan monks who were reportedly arrested at the Nepal border and handed over to the Chinese authorities.<sup>666</sup> Furthermore, a written statement submitted by the International Fellowship of Reconciliation, a non-governmental organisation in special consultative status, to the Fifty-fourth session of the Sub-Commission on the Promotion and Protection of Human Rights, draws attention to the fact that “in Tibet, security forces routinely resort to arbitrary arrest, imprisonment and torture in response to non-violent protests, including displaying Tibetan flags or other symbols of cultural identity, holding peaceful demonstrations, possessing a photograph of the Dalai Lama, compiling a list of prisoners, putting up posters and distributing nationalistic leaflets”.<sup>667</sup>

The above case histories and the reports by the Special Rapporteurs clearly show that in Tibet even minor offences, such as expressing views that go against the Party policy, are punishable by arbitrary arrest, long-term imprisonment without proper trials and torture, in utter violations of China’s civil and political rights. Therefore, China’s signatory status of the UN Conventions and the provisions enshrined in the Constitution and the Regional Ethnic Autonomy Law for minorities are unsubstantiated show-pieces to create good international image for itself. Hence, the Constitutional provisions are impracticable in reality, especially in the ethnic minority regions.

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666 ‘Question of Enforced or Involuntary Disappearances’, a report of the Working Group on Enforced or Involuntary Disappearances, Doc. no. E/CN.4/1995/36, 21 December 1994.

667 ‘Administration of Justice’, a written statement by International Fellowship of Reconciliation to the Fifty-fourth session of the Sub-Commission of the Promotion and Protection of Human Rights, Doc. no. E/CN.4/Sub.2/2002/NGO/15, 19 July 2002.

## Chapter 7 Economic Reforms and its Impacts

### 3.7.1 Impacts of China's Reform Policies in Tibet: Modernisation or

#### Marginalisation

The Chinese “liberation” of Tibet in 1951 was followed by a plethora of significant changes in Tibet that have huge and far reaching impacts on the Tibetans. The post 1959 China's Tibet policy is characterised by assimilation of Tibetan culture into Han culture, integration of Tibetan economy with the Mainland's economy, especially with Deng's open-market policy. A rapid transformation of Tibet's social structure and massive proliferation of Maoist ideology took place, which in essence, represent initiatives to change traditional Tibet into a socialist Tibet. Enormous efforts and huge investments were made by the Communist authorities to “modernise” Tibet which however is seen by the Tibetans, both in and outside Tibet as an effective mean of eroding the distinctiveness of the Tibetan identity and diminishing the power of the powerless. As such these modernisation projects are perceived by the Tibetans as China's final resort to end the decades long struggle. However, China claims that the modernisation of Tibet is to improve the living standard of the Tibetans and for their well being.

The contradicting views held by the two protagonists can be best understood if we know how the term “modernisation” is interpreted by the two sides. The way one party defines the term may not be true for the other party, which is exactly the case in hand. For instance the ongoing projects in Tibet are claimed by the Chinese Government as signs of achievements as indicated by *Tibet's March Toward Modernization*: “The implementation of the policy of reform and opening-up and the state aid have strengthened and invigorated Tibetan industry, agriculture, animal husbandry and the tertiary industry with trade, catering and tourism as its mainstays, raised the overall level of industries and the level of commercialisation of economic activities in Tibet, and helped Tibet take another step forward in its economic and social development”.<sup>668</sup> However, the Tibetan side equates modernisation with sinicisation of Tibet with little benefit to the Tibetan populace.<sup>669</sup> Therefore, a detail

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668 ‘Tibet's March Toward Modernization, November 2001’, *White Papers of the Chinese Government* (3) 2000-2001, 2003.

669 DIIR, *Height of Darkness: Chinese Colonialism on the World's Roof*, Dharamsala: DIIR, 2001.



study of the modernisation policies is necessary to understand the ground reality. In general the term “modernisation” has positive connotation of bringing development in economy, technology, culture, health, education and so on. However, under this guise policies of discrimination and marginalisation could be practised safely by the dominating power in disregard to the local people’s aspirations. In my opinion any policies that have adverse effects on the indigenous community could not be regarded as modernising the community irrespective of what economic gains it might entail. Dean Tipps maintains that “modernization is a type of social change which is both transformational in its impact and progressive in its effects”.<sup>670</sup> The progressive effects have to occur within the same culture in which the modernisation is introduced. Therefore, a careful analysis of the local people’s perspective is important in examining the claims proposed by the two parties.

The last fifty years of Communist rule in Tibet saw various shades of changes in the entire plateau of Tibet. New policies were introduced in the sphere of education, industry, economy, infrastructure and population that are contested by majority of Tibetans as policies to reduce the Tibetans to a second class people. For instance the education policies that devalue the traditional (Tibetan) culture and language, population policies that restrain the growth of Tibetan population, industrial, economic and infrastructure development plans that enable smooth influx of Han Chinese are viewed by the Tibetans as indications of a multi-frontal approach in transforming the Tibetan social structure which is now turning out to be “decisive factors [in] determining, in the long run, the outcome of the contest of wills between Peking and Lhasa and the future course of Tibet’s development”.<sup>671</sup> Although the reform policies also affect other important areas such as environment and ecology, economy and development, security and stability, but I have talked and will talk about impacts on these areas in the later sections of the dissertation. In this chapter I will focus on population policy, education and social policies that are molding Tibet into a new shape as reflected by the views of newcomers that I interviewed.

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670 Dean C. Tipps, ‘Modernization Theory and the Comparative Study of Societies: A Critical Perspective’, *Comparative Studies in Society and History*, vol. 15, no. 2, March 1973, Cambridge University Press, p.202.

671 George Ginsburgs and Michael Mathos, ‘Communist China’s Impact on Tibet: The First Decade (I)’, *Far Eastern Survey*, vol. 29, no. 7, July 1960, p. 102.

### 3.7.1.1 Population Control Policy in Tibet

China, the world's most populous country, has an extremely uneven distribution of population<sup>672</sup> with limited resources which prompted the Chinese government to launch family planning campaigns from 1956-57 and 1962-66,<sup>673</sup> before a forceful program was launched in the late 1970s.<sup>674</sup> Relentless campaigns were carried out throughout the next decades with such popular slogans as *wan, xi, shao* meaning late (*wan*) marriage and child bearing, birth spacing (*xi*) and fertility limitation (*shao*).<sup>675</sup> The failure to achieve the official population target by early measures compelled the authorities to introduce "one child policy" in 1979<sup>676</sup> and thereafter in 1982, family planning became a constitutional duty with Art. 25 and Art. 49 promoting the practice of family planning that fits the plans for economic and social development.<sup>677</sup> The main regulations practised under this policy are getting permission before a couple plans for a child; enforcing one child per couple in the urban areas and allowing a second child to rural couples whose first child was a daughter, while forbidding a third child; subjecting women to use contraceptive devices after having the permitted number of children and requiring the termination of unauthorised pregnancies.<sup>678</sup> The policy has had a major impact in reducing China's population growth rate to about 1 per cent per year in the late 1990s,<sup>679</sup> but the large population base and the net

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672 According to the Information Office of the State Council, 94 per cent of China's population live in the eastern part of China, particularly the southeastern region which accounts for 46 per cent of the nation's territory. 'Family Planning in China', a White Paper published by the Information Office of the State Council of the PRC, August 1995. See *White Papers of the Chinese Government (I) 1991-1995*, Beijing, 2000.

673 Isabella Attane, 'China's Family Planning Policy: An Overview of Its Past and Future', *Studies in Family Planning*, vol. 33, no. 1, March 2002, p. 103.

674 'China's Population and Development in the 21<sup>st</sup> Century,' a government White Paper published by the Information Office of the State Council of the PRC, December 2000. See *White Papers of the Chinese Government (3) 2000-2001*, Beijing, 2003.

675 Isabella Attane, 'China's Family Planning Policy: An Overview of Its Past and Future', *Studies in Family Planning*, vol. 33, no. 1, March 2002, p. 103.

676 After the implementation of the 1979 "one child" policy in the whole of China, a widespread resistance took place which forced the Chinese government to relax it and allow the rural couples to have a second child.

677 The 1982 PRC Constitution. Art. 25 states: The state promotes family planning so that population growth may fit the plans for economic and social development and Art. 49 states: Marriage, the family, and mother and child are protected by the state. Both husband and wife have the duty to practice family planning. Parents have the duty to rear and educate their minor children, and children who have come of age have the duty to support and assist their parents. Violation of the freedom of marriage is prohibited. Maltreatment of old people, women and children is prohibited.

678 Human Rights in China, *Caught Between Tradition and the State: Violations of the Human Rights of Chinese Women*, New York: Human Rights in China (organisation), August 1995, pp. 35-36.

679 Judith Banister, 'Population, Public Health and the Environment in China', *The China Quarterly*, no. 156, Special Issue: China's Environment, December, 1998, p. 988. According to *Beijing Review* the birth rate dropped from 33.43 per thousand in 1970 to 21.06 per thousand in 1990. 'Human Rights in China', *Beijing Review*, November, 1991, p. 37.

increase nevertheless exerted tremendous pressure upon the population of the PRC and as such in 1997 the Communist government announced its plans to vigorously promote the family planning programme in the future.<sup>680</sup>

The family planning policies were carried out nationwide including the minority areas but on different scales. Documents showed that in Tibet limitations on the number of Tibetan children were imposed since the early 1980s,<sup>681</sup> although the official acknowledgement of it came only in 1992.<sup>682</sup> Generally there exist disagreements among Tibet and China scholars on the extent of the population policies and the limit of child birth in Tibet. Scholars such as John Avedon,<sup>683</sup> Isabella Attane<sup>684</sup> and Dr. Blake Kerr<sup>685</sup> and NGOs such as Asia Watch<sup>686</sup> report that restrictions of two children per couple are universally applied in the TAR and in neighbouring Tibetan regions while Avedon and Blake Kerr additionally state the implementation and the encouragement of “one child policy” on Tibetan cadres. On the other hand Judith Banister,<sup>687</sup> and Zhang Tianlu<sup>688</sup> state that the limit of two births is recent and applicable only to Tibetan cadres and workers in the TAR and Susan Greenhalgh’s<sup>689</sup> survey is in sum consistent with them, albeit her account does not deal with the TAR

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680 Peng Peiyun, Minister in Charge of the State Family Planning Commission of the PRC, in her address to the 23<sup>rd</sup> IUSSP General Population Conference, held in Beijing, from 11-17 October 1997, said that “while adhering to the policy of reform and opening to the outside world so as to sustain a rapid and healthy development of the national economy, China must adopt the strategy of sustainable development, promote further its family planning programme and provide quality reproductive health service to the eligible couples.” ‘China’s Population Policy’, *Population and Development Review*, vol. 23, no. 4, December 1997, p. 926.

681 *Renmin Ribao*, 14 March 1982, cited in *TIN Background Briefing Paper: Survey of Birth Control Policies in Tibet*, London: TIN, 30 March 1994.

682 The PRC officials admitted in 1992 that family planning has been practised against the Tibetans since the mid 1980s. Information Office of the State Council of the PRC, ‘Tibet: Its Ownership and Human Rights Situation, September 1992’, in *White Papers of the Chinese Government (I) 1991-1995*, Beijing: 2000.

683 John Avedon, *Tibet Today: Current Conditions and Projects*, New York: US Tibet Committee, 1987, p. 9.

684 Isabella Attane, ‘China’s Family Planning Policy: An Overview of Its Past and Future’, *Studies in Family Planning*, vol. 33, no. 1, March 2002, p. 104.

685 Blake Kerr, ‘Refugee Accounts of Human Rights Violations in Tibet’, *Tibetan Review*, August 1989, pp. 10-11 and Blake Kerr, ‘Witness to China’s Shame: How Human Rights and Families Suffer in Tibet’, *Washington Post*, 26 February 1989, p. C4.

686 Asia Watch Committee, *Human Rights in Tibet*, Washington, DC: Asia Watch Committee, 1988, p. 54.

687 Judith Banister, *China’s Changing Population*, Stanford, Calif.: Stanford University Press, 1987, pp. 249-50.

688 Zhang Tianlu, ‘Tibet’s Population Develops’, *Beijing Review*, no. 33, 1987.

689 Susan Greenhalgh, ‘Shifts in China’s Population Policy, 1984-86: Views From the Central, Provincial, and Local Levels’, *Population and Development Review*, vol. 12, no. 3, September 1986, pp. 491-515.

as such. Contrary to the above two groups Melvyn C. Goldstein and Cynthia M. Beall while acknowledging the existence of coercive both control measures in Lhasa depending on the social status and ethnicity, explicitly denied exercise of such measures in the farming and nomadic areas in the TAR. They write:

The situation in Tibet's farming and nomadic areas (about 90% of the total ethnic Tibetan population) is clearer. We found no evidence of any policy restricting the number of children that herding and farming women can bear, although there has been publicity extolling the advantages of family planning and smaller families, particularly in areas near administrative centres.<sup>690</sup>

This statement was interpreted by the International Commission of Jurists (ICJ) as characteristic of the early years of the policy which the ICJ termed as “flexible and loose, particularly in rural areas”.<sup>691</sup> However in another report by Goldstein, Beall, et. al., published in 2002, the authors reaffirmed the same statement<sup>692</sup> despite official guidelines and regulations of the TAR on family planning set up in 1985 and 1992 respectively.

The wide gap between Goldstein and others' assertion of non-existence of coercive family planning policies in rural Tibet and that of Blake Kerr, John Avedon, Isabella Attane, ICJ and Asian Watch, who accused China of implementing harsh birth control policies in Tibet including the rural areas, could be due to several factors. Firstly, the two authors, Goldstein and Kerr, conducted their field surveys in specific yet different regions of Tibet and made general inferences on the implementation of family planning policy based upon their findings. As such neither of their findings is adequate to represent the entire Tibetan area. I particularly find Goldstein's overly generalised claim that “it is not inconceivable that China will at some point attempt to implement a two-child limit in rural Tibet, but for the present, it is not doing so,”<sup>693</sup> based on his highly limited survey, as untruthful and misrepresented.<sup>694</sup> Secondly, the

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690 Melvyn C. Goldstein, Cynthia M. Beall, 'China's Birth Control Policy in the Tibet Autonomous Region: Myths and Realities', *Asian Survey*, vol. 31, no. 3, March 1991, pp. 293-294.

691 ICJ, *Tibet: Human Rights and The Rule of Law*, December 1997, p. 309.

692 Melvyn C. Goldstein, Ben Jiao (Benjor), Cynthia M. Beall and Phuntsog Tsering, 'Fertility and Family Planning in Rural Tibet', *The China Journal*, no. 47, January 2002, p. 38.

693 Ibid., p. 38.

694 The survey that Goldstein and others conducted, from November 1997 to August 2000, was

sources of information used by the two groups differed, whereas Blake Kerr, John Avedon, ICJ and Asia Watch relied mainly on accounts of Tibetan refugees who in the absence of Chinese control could narrate the happenings inside Tibet more openly and freely, Goldstein and others relied on sources inside Tibet who were under direct Chinese rule and thus could be more cautious and wary of what they divulge. Despite Goldstein's claim that the information was not censored by the Chinese government and that "the interviewees were not subject to questioning by local officials after their interviews," it remained to be seen how much confidence and trust the researchers had gained from the Tibetan people they interviewed. Like Goldstein stated, population policy had become a highly politicised issue and as such, through my own experience I know this, much trust is necessary before the Tibetans would open up their true feelings. For instance in August 2005, while on a field trip to Nepal, I experienced problems winning the confidence of the newly arrived Tibetan women as a result of which I did not get to interview some of them.

Nevertheless, from time immemorial, Tibet has never required to control its population or employ population policies. Historically the tradition of sending at least one boy from a family to monasteries and the practice of polygamy and polyandry had the effects of population control measures. The imposition of child limit in Tibet occurred for the first time in its whole history after the PRC's occupation of Tibet. The first set of guidelines was introduced in the TAR in 1985<sup>695</sup> which was followed by 1992 official regulations on management of planned birth in the TAR.<sup>696</sup> Reports of birth control teams performing operations on 1,467 individuals in three Lhasa counties in 1990 were broadcasted by *Lhasa Wanbao* (Lhasa Evening News).<sup>697</sup> Another account reveals the sterilisation of 3% of the 600,000 Tibetan women of child

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confined to four rural townships (*xiang*), viz. Khartse Township, Tsashol Township, Mag Township and Norgyong Township, in three counties (*xian*). The first two townships are in Lhasa Municipal Region and the latter two in Shigatse Prefecture. As such the data collected cannot represent the remaining five prefectures of the TAR and also the Tibetan areas in Sichuan, Gansu, Qinghai and Yunnan provinces.

695 'Established Guidelines Relevant to Granting Birth Permits, TAR Planned Birth Steering Committee, Doc. 1, 28 February 1985', translated in TIN Doc. 2(XC), as cited ICJ, *Tibet: Human Rights and the Rule of Law*, 1997, p. 309.

696 'The Temporary Methods for the Management of Planned Birth in the Tibet Autonomous Region, TAR Planned Birth Leading Group, Doc. no. 6 (1992)', translated in TIN Doc. 1(XL), as cited in ICJ, *Tibet: Human Rights and the Rule of Law*, 1997, p. 309.

697 TIN, *Background Briefing Paper: Survey of Birth Control Policies in Tibet*, 1994.

bearing age in the TAR.<sup>698</sup> Planned Birth Management offices were set up in each village which carry out the policies by rewarding those who remained within the government set parameters and punishing those who violates the set regulations. In a report submitted to the United Nations Committee on the Status of Women by the Tibetan Women's Association (TWA) presented several cases of forced sterilisation and abortion practised by the Chinese government on Tibetan women in various parts of Tibet particularly in 1996-1998. In the summer of 1996, Nyemo County in the TAR witnessed sterilisation of about three hundred women. Similarly, in an interview conducted by TWA a newly arrived Tibetan refugee revealed that in Takar district 308 women were sterilised between September and October 1996. The report further states that in Nyangdren town out of 379 married women 342 underwent sterilisation. Monetary penalties of 1,000 yuan were levied on those who did not comply with allowed official quota in Lushul town in Karze County. Such diverse and varied accounts indicate the presence of strict policy in many parts of Tibet. Likewise, in 1997, sterilisation program was launched in Drongpa County in the TAR, a purely nomadic area, in which about two thirds of the women from approximately 300 households in his township were sterilised.<sup>699</sup> Penalties for breaching the population regulations include monetary fines of various amounts depending on locality and social status, demotion or loss of job, denial of ration, housing and education rights for any children that were conceived in non-compliance of official policy.<sup>700</sup>

*A State-Owned Womb*,<sup>701</sup> a report by TWA, identified surgical abortion and sterilisation as the primary methods of birth control in Tibet with infanticide as occasional practice. Injection of needle into the head of the foetus while it was in mother's womb and insertion of rubber tube into cervix through which knife-like instrument with long handle was inserted to cut the foetus were some of the practices

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698 *Xinhua* report quoted in Ibid.

699 Tibetan Women Association (TWA), *NGO Post-Beijing Alternative Report on Tibetan Women: The Status of Tibetan Women 1995-2000*, Dharamsala: TWA, April 2000, p. 12. A similar report was submitted to the Convention on the Elimination of All Forms of Discrimination Against Women in 2006.

700 TWA, *NGO Alternative Report on the Status of Tibetan Women in Tibet*, Dharamsala: TWA, 2006, p. 8. This report was submitted to the Convention on the Elimination of All Forms of Discrimination Against Women in 2006.

701 TWA, *A State-Owned Womb: Violations of Tibetan Women's Reproductive Rights*, Dharamsala: TWA, 1996.

described by Tibetan women who had fled Tibet.<sup>702</sup> Furthermore, TIN reports describe that abortions were carried out even in the later stages of pregnancy which occasionally led to complications and even death.<sup>703</sup> A Tibetan paramedic from Karze, a Tibetan prefecture within Sichuan, explained to TIN method of abortion that she had witnessed while working as interpreter in which water from the womb was removed to induce stillbirth.<sup>704</sup> Kate Saunders, a senior news analyst with TIN, writes that the authorities in the TAR had despatched especially equipped mobile clinics to widen the implementation of family planning policy to reach even the remote places. She writes, “The provision of these new mobile clinics is likely to increase the outreach of birth control measures into the rural areas and implementation of family planning policy, which varies greatly from county to county”.<sup>705</sup>

My own field work and interviews with newcomers from Tibet showed that the enforcement of the family planning existed not only in urban areas such as Lhasa but also in rural areas.<sup>706</sup> Moreover, among the interviewees the fear of the Chinese reprisal against those who breach the set limitation is quite evident. Almost all of the adults that I interviewed were aware of the penalty for violation of the population regulations which I think indicates widespread promotion of family planning and the punitive measures for not following the birth control restrictions in Tibet. However, it was apparent from the interviews that different regions have different level of restrictions. Inability to visit Tibet to conduct research on sensitive issues such as coercive population control policies compels me to rely albeit some reluctance on

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702 TIN Doc. T17 (BB); In an interview given by Dr. Tashi Dolma, a Tibetan woman from Gonghe, Hainan in Qinghai, she described this procedure through her own experience as she was forced to abort her second child which was conceived two years after the birth of the first child. Cited in *Tears of Silence: Tibetan Women and Population Control*, Dharamsala: TWA, 1995, pp. 46-49.

703 TIN Doc. T2 (BB).

704 TIN Doc. T8(BB).

705 Kate Saunders, ‘New mobile clinics to carry out birth control policy in Tibet’, 16 July 2003, <https://www.phayul.com/news/article.aspx?id=4572&t=1&c=1>.

706 I conducted the interviews in the summer of 2005 when I purposely traveled to Kathmandu in Nepal and Dharamsala in India. Of the forty newcomers from Tibet, that I interviewed, nine were adult women who were all aware of family planning policy implemented in their regions and the monetary and other penalties meted out to those who violated the regulations. However, all of them denied having any personal experiences of coercive measures. In September 2006, I interviewed another batch of new arrivals in Dharamsala, specifically on family planning policy in Tibet. All five women have heard about the family planning policies and regulations and various forms of contraceptive measures. They were also aware of penalty for breaching the regulations. Yet, none had been penalized by the Chinese authorities for having more children than the allotted number which two out of five did. Moreover, each provided different set of information regarding the child limitations and the monetary fines. The only way to understand this variation is that different area has different set of regulations which is quite consistent with the official Chinese reports.

refugee accounts, articles by scholars and reports by the NGOs. For Tibetans, a minority group that inhabits a highly sparsely populated land, any kind of population control policy could become detrimental to its very survival. A strict implementation of the population policy for even a decade would significantly affect the Tibetan population. ICJ reported that the birth rate in the TAR decreased from 1.84 to 1.61 during the Eight Five-Year Plan period (1990-1995) and the implementation of family planning in the TAR prevented 63,200 births during the same period.<sup>707</sup> A *TIN News Review* stated that the “two child” limit was being applied to nomads and farmers in several counties in the TAR for the first time in 2000 which according to TIN signified a “most significant shift in family planning policy in the TAR” from the 1992 regulations that allowed farmers and nomads to have three to four children.<sup>708</sup> Combined with the massive influx of Chinese into Tibet, the strict implementation of family planning in Tibet could spell disaster because of which the Tibetans are so critical of China’s population policy.

### **3.7.1.2 Education Policy**

Generally, a nation’s education policy dictates the survival and the growth of its civilisation. Tibet’s thousands year old civilisation and culture were strongly influenced by the importation and proliferation of Buddhism which focused mainly on inner and spiritual development of people. Thus, institutionalised religious education became the dominant education system in the old Tibet prior to the Chinese invasion. With more than 6000 monasteries and nunneries acting as vibrant pools of academic knowledge, the spread of Buddhist scholarship was far and wide. Aside from religious studies, Tibetan medical science, traditional art and craft, logic, astrology, poetry and drama, history and hagiography were the main areas of studies. Secular schools for lay students were quite rare even in the major towns like Lhasa and were almost non-existent in the small villages.<sup>709</sup> Several attempts were made to modernise the education system during the Thirteenth Dalai Lama but without success as they were met with strong opposition from the monastic communities.<sup>710</sup>

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<sup>707</sup> ICJ, *Tibet: Human Rights and the Rule of Law*, p. 315.

<sup>708</sup> TIN, ‘Increased restrictions on birth of children in Tibet’, *News Review: Reports from Tibet*, London: Tibet Information Network, 2000, p. 101.

<sup>709</sup> There were only about seventy schools established by the Tibetan government in U and Tsang before 1959. Sangye Tendar Naga, ‘Secular Schools in Pre-1959 Tibet’, *Tibet Journal*, vol. XXX, no. 2, Summer 2005, p. 25.

<sup>710</sup> During the Thirteenth Dalai Lama four boys were sent to Rugby School in England (1913-1917) for



A radical change to Tibet's education system occurred after the PRC's occupation of Tibet. Although the Seventeen Point Agreement, signed on 23 May 1951, states that "the spoken and written language and the school education of the Tibetan nationality shall be developed step by step in accordance with the actual conditions in Tibet,"<sup>711</sup> the Chinese government in practice failed to comply with it. For instance in September 1951 the Education Minister Ma Xulun, while laying out the education plans for the minority nationality areas at the First National Conference on Minority Education,<sup>712</sup> emphasised the importance of patriotism, unity, fraternity and support for the People's Government which eventually became the basic principles of the minority education policies. As described by Catriona Bass, "the overriding goal of education for 'minority' nationalities was to encourage political allegiance towards China and enhance stability in border areas" and "this principle still underpins China's education policy in the TAR".<sup>713</sup> Thereafter, the first two primary schools were opened in 1952 in Lhasa, a secondary school in 1956 and other higher education institutions in the 1960s. However, the educational institutions came under severe attacks during the Cultural Revolution due to the change in government strategies resulting from power struggles at the centre of Chinese politics.<sup>714</sup> During the Cultural Revolution the attacks on distinctive minority education were so rampant, organised and widespread that by 1971 when universities were reopened out of China's ten nationalities institutes only two had survived.<sup>715</sup> In the TAR, concessions made in the Article 9 of the Seventeen Point Agreement to follow a gradualist approach of

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modern education; a British educationalist, Frank Ladlow was invited to start a school based on the British Public School System in Gyantse, a major town in the Central Tibet in 1924 and an English school was established in Lhasa under the tutelage of Richard Parker and two attendants in June 1944. The initial enthusiasm for modernisation by the Great 13<sup>th</sup> Dalai Lama, that could have brought Tibet out of its self-imposed aloofness, failed dismally with slight contributions coming from the four students in the areas of telegraphic networks and electricity. See Tsering Shakyas, 'Making of Great Game Players: Tibetan Students in Britain between 1913-1917', *Tibetan Review*, vol. 21, no. 1, 1986, pp. 14-18; Sangye Tendrar Naga, 'Secular Schools in Pre-1959 Tibet', *Tibet Journal*, vol. XXX, no. 2, Summer 2005, p. 36.

711 Clause 9, 'Agreement of the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet', See: APPENDIX 1.

712 The Second National Conference on Minority Education was held in Beijing in 1956.

713 Catriona Bass, *Education in Tibet: Policy and Practice since 1950*, London: Zed Books, 1998, p. 10.

714 In 1966 all schools were closed and the Red Guards, in name of attacking the 'Four Old'; old thoughts, old customs, old habits and old culture, destroyed monasteries, beat and imprisoned monks, aristocrats and land-owners, subjected the scholars through severe 'struggle sessions' from which even the 10<sup>th</sup> Panchen Lama could not escape.

715 Catriona Bass, *Education in Tibet: Policy and Practice since 1950*, p. 36.

adapting economic and education development as per the specific conditions in the TAR were denounced as revisionist. Textbooks for all levels of education were rewritten to weed out the “reactionary ideas” and include Communist ideology and teachers were attacked for their ‘absolute authority’.

A major shift in the education policy transpired with the rehabilitation and eventual rise of Deng Xiaoping to power. At the Third Plenary Session of the Eleventh Central Committee of the CCP, convened in December 1978, the focus of the CCP shifted from Mao’s ‘class struggle’ to economic construction and socialist modernisation of China. The Four Modernization Programme<sup>716</sup> was launched which impacted the education strategy as specialisation, especially in the field of science and technology, and training of high-level personnel assumed high priority. However, the Central government’s heavy investments in economic and educational development were limited to areas that already had strong economic infrastructure in the coastal province in Eastern China. Underdeveloped and rural regions to the west, including the TAR, were slated to be developed in the second stage of economic development scheduled for the end of 1990s. Catriona Bass listed the following priorities as emergent of the new drive for quality in the education and development: developed provinces over less developed provinces; urban education over rural education; elite education over mass education; higher education over basic education.<sup>717</sup>

In general the Constitution of the People’s Republic of China guarantees its citizens the duty as well as the right to receive education (Art. 46) and the Education Law of the PRC provides its citizen “equal educational opportunities regardless of race, nationality, sex, occupation, financial status and religion” (Art. 9). Moreover, both the Constitution (Art. 19) and the Education Law (Art. 18) emphasise the compulsory primary education and direct the people’s government at different levels to adopt all means to ensure primary education to children and juveniles of school age whereas it promote secondary, vocational and higher education. Despite setting Chinese as the medium of instruction for all the educational institutions, minority nationalities would be allowed to use the language of the respective nationality. Article 12 of Educational Law states, “The Chinese language, both oral and written, shall be the basic oral and

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<sup>716</sup> They are modernisation of industry, agriculture, science-technology and defence.

<sup>717</sup> Catriona Bass, *Education in Tibet: Policy and Practice since 1950*, p. 49.

written language for education in schools and other educational institutions. Schools or other educational institutions which mainly consist of students from minority nationalities may use in education the language of the respective nationality or the native language commonly adopted in that region”.

In 1980, Hu Yaobang visited Tibet following the First Work Forum on Tibet (April 1980) after which he announced that educational policies should take into consideration Tibet’s special characteristics. Provided that “the socialist orientation is upheld,” he said, “vigorous efforts should be made to revive Tibetan culture, education and science”.<sup>718</sup> The ‘Intellectual Aid Scheme for Tibet from other Provinces’ was set in motion in 1984 which comprised of three components: (i) sending selected Tibetan children to Central China for secondary education, (ii) bringing teachers from other provinces in China to work in Tibet’s schools and colleges on two to eight year contracts, and (iii) creating links between schools and colleges in the TAR and similar institutions in China to improve teaching standards and school management.<sup>719</sup> In 1987, at the strong exhortation of the 10<sup>th</sup> Panchen Lama and Ngapo Ngawang Jigme, the TAR People’s Congress has drawn up a policy document<sup>720</sup> on the use of Tibetan language in the TAR.<sup>721</sup> The importance of the growth of Tibetan language and culture was felt so greatly by the 10<sup>th</sup> Panchen Lama that he raised his concerns at a meeting of the Institute of Tibetology in 1988, where he is reported to have said, “I, for one, am concerned as to whether written Tibetan will be allowed to survive or die”.<sup>722</sup>

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718 ‘Hu Yaobang’s Report to TAR Regional Party Committee Cadres’, Lhasa Radio, 30 May 1980, translated in BBC *SWB FE/6436/BII/1*, 4 June 1980.

719 Dai Yannian, ‘Helping Tibet Train its People’, *Beijing Review*, vol. 30, no. 42, 19 October 1987, p. 4.

720 The document is called ‘Provisions on the Study, Use and Development of Spoken and Written Tibetan (for trial implementation) and it allowed the use of both Tibetan and Chinese with Tibetan being the first language in the TAR. For more detail see Luo Qun, *The Tibetan People’s Right of Autonomy*, Beijing: New Star Publishers, 1991.

721 The 10<sup>th</sup> Panchen Lama recounted the story of how the resolution got passed in ‘Tibetan religion and culture should be foundation of Tibetology’, a speech given to the meeting of the Institute of Tibetology in Beijing in 1988. He said, “We worked tenaciously for this resolution. Sometimes we even quarreled with the authorities. Being a short-tempered man, I sometimes banged my fist on the table, making some people angry. Comrade Ngabo also spoke for this. Similarly, Phuntsok Wangyal, Phuntsok Tashi and others worked with us. Finally, with strong support from Comrade Wu Jinhua and company, we just about managed to push this resolution through. Sometime after that, an announcement was made to implement the resolution from this year onwards. Now it remains to be seen how it works.” DIIR, *From the Heart of the Panchen Lama: Major Speeches and a Petition 1962-1989*, Dharamsala, 2003, p. 73.

722 Ibid., p. 75.

Although the Central and local government of the TAR implemented various educational policies, Tibet continued to lag behind in educational achievements. This was clearly evident from a 1990 Chinese census which revealed that the TAR had 44% illiteracy rate compared to 15.88% for China as a whole.<sup>723</sup> The dismal state of education in Tibet was acknowledged by Chen Kuiyuan, the Party Secretary of the TAR, in 1994, at the Fifth Regional Meeting on Education where he said, “Our region still lags far behind other provinces and municipalities with regard to educational development”.<sup>724</sup> Surprisingly, in that same year Chen Kuiyuan revealed the political nature of education policies at a TAR conference on education:

“The success of our education does not lie in the number of diplomas issued to graduates from universities, colleges...and secondary schools. It lies, in the final analysis, in whether our graduating students are opposed to or turn their hearts to the Dalai Clique and in whether they are loyal to or do not care about our great Motherland and the great socialist cause”.<sup>725</sup>

Consequently, the primary political role of minority education was emphasised more and more in Tibet and the separate Tibetan education system was deemed unpatriotic and counter-productive. Repercussions of such decision on the academic life of Tibetan students were numerous and serious as patriotic education campaign required Tibetan students to denigrate their own culture and vilify their religious leader. The curriculum at schools was designed to fulfill the political function of implementing the policies formulated at the Third Forum and the Fifth TAR Conference. “The curriculum for both higher and basic education must depend on whether it can guarantee the unity and territorial integrity of the country; the curriculum is directly connected with the question of ‘stability’ of the whole country,” wrote Yang Wanli, the deputy director of the Secondary School Teaching Center of the People’s

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723 ‘Census statistics for the TAR, announced on Tibet TV, 8 November 1990’, translated in SWB FE/0919 B2/5, 12 November 1990.

724 Chen Kuiyuan, Fifth Regional Meeting on Education, 26 October 1994, translated in SWB FE/2158 S1/1, 21 November 1996; see also Catriona Bass, *Education in Tibet: Policy and Practice since 1950*, p. 21.

725 Chen Kuiyuan, Speech to Fifth TAR Conference on Education, 26 October 1994, cited in Catriona Bass, *Education in Tibet: Policy and Practice since 1950*, p. 21.

Education Publishing House (Beijing) in his paper on curriculum in 1996.<sup>726</sup> Moreover, despite the law and policy on the use of minority languages the directives to enforce Tibetan language policy were resisted by many leaders and officials in the TAR. In a place where 90 percent of the population speaks only their native Tibetan language, failure to implement minority language policy could and did have serious consequences in education, modernisation and development. A 1986 Chinese government publication estimated the illiteracy rate at 44.43 per cent of the Tibetan population<sup>727</sup> which was amongst the highest in China whereas in 2003 the illiteracy rate has increased to alarming 54.9 per cent which is six times the national average.<sup>728</sup> Among the thousands of Tibetan refugees who cross the Himalayas to seek asylum in Nepal and India, majority of them are children under the age of eighteen who are sent by their families to receive education (in exile). A UN press release in 1999 cited a report published by the Tibetan Center for Human Rights and Democracy in which it is claimed that 1,190 Tibetan children escaped from Tibet in 1998 alone for education.<sup>729</sup>

Contrary to the Constitutional provisions on education, my own surveys<sup>730</sup> indicate that the primary education is not free in a number of places in Tibet, the nine-year compulsory education policy is not upheld and a high drop-out rate is reported from schools across Tibet.<sup>731</sup> Most of the Tibetan refugees who were mainly from villages, that I interviewed, told me that school fees had to be paid for primary and middle school education either in yuans, a minimum of which was 60 yuans, or in goods including food products. In rural villages the schools were usually built with monetary and labour contributions from the villagers themselves. Although the medium of instruction in primary schools was and is still Tibetan, the secondary and higher education are invariably conducted in Chinese which makes the learning especially of

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726 Yang Wanli, 'The Countermeasure and Particularity of Research on Teaching Materials', cited in Catriona Bass, *Education in Tibet: Policy and Practice since 1950*, p. 10.

727 Tibetan Centre for Human Rights and Democracy (TCHRD), *The Next Generation: The State of Education in Tibet Today*, Dharamsala: TCHRD, 1997, p. 10.

728 'Illiteracy and Education Levels Worsen in the TAR Despite Development Drive', *TIN Update*, 27 September 2005.

729 UN Press Releases 1999, 'Commission on Human Rights Hears Further Pleas for Protection of Children, 19 April 1999', HR/CN/916. Available at <http://www.un.org/special-rep/children-armed-conflict/PressReleases/PR1999-04-19-HR-CN-916.html>.

730 See APPENDIX 6.

731 The drop-out rate for the junior middle school was 46% for 1994 and for senior middle school was 17%. See ICJ, *Tibet: Human Rights and the Rule of Law*, fn. 71, p. 208.

sciences difficult for the Tibetans. Majority of the children discontinue their schooling after finishing primary education for financial reasons and also due to failure in getting the required marks in the entrance exams. Furthermore, the Tibetan parents have become very pessimistic about the educational system in Tibet and see no future in education for their children, which has made them reluctant to invest in their children's education. However, the same parents try their best to send their children to India for education at a high cost and great risks for their children's life. Each year about eight hundred young Tibetan children go to India illegally, crossing the Himalayas on foot and braving the elements, for education.<sup>732</sup>

The high illiteracy rate, strong resistance to the implementation of minority language policy in Tibet, political goals associated with education policy, disproportionate growth of Han Chinese population in the TAR all signal a bleak future to the educational, cultural and linguistic development in the TAR. The challenge for the Tibetans and the Chinese government is to leave the present policies behind and find a new synthesis that would allow preservation of Tibet's distinctive cultural features while at the same time fulfill the economic aspirations of the Communist leadership in Tibet. Judging by the current leaderships' hard-line stand a radical change in education policy is not in the offing.

### **3.7.1.3 Social and Cultural Policies**

#### *Housing Policy*

The PRC started nationalizing housing as well as land right after the "liberation" of Tibet in order to consolidate their control over the liberated land. For instance in Lhasa during the early years of occupation, the members of the PLA systematically searched and evicted houses occupied or owned by those who opposed the Chinese takeover of Tibet and expropriated the houses.<sup>733</sup> By 1966 the PRC Government had confiscated most of the private property in Tibet, and in Lhasa more than 85 per cent of all traditional residential buildings were nationalised.<sup>734</sup> As in other parts of China,

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732 Communication with Tsewang Yeshe, the current Director of Tibetan Children's Village (TCV), Dharamsala, the largest Tibetan school in the Exile community, 3 October 2006.

733 Habitat International Coalition, 'An Analysis of the Situation Regarding the Right to Adequate Housing in Tibet', Annex II.3 of UN Economic and Social Committee, UN Doc.E/CN.4/1992/37, cited in TCHRD, *Dispossessed: Land and Housing Rights in Tibet*, Dharamsala: TCHRD, 2002, fn. cxxvii.

734 Andre Alexander & Pimpim de Azevedo, *The Old City of Lhasa: Report from a Conservation*

the nationalised houses in urban areas of Tibet became either subsidised public housing or free housing for the employees of the state work units. The nationalised houses and buildings came under the management of municipal Housing Authorities who allocated flats and collected rents. However, due to lack of funding for housing maintenance and lack of maintenance on the part of tenants for state owned houses resulted in dilapidated and overcrowded housing.<sup>735</sup> The process of economic liberalisation under the leadership of Deng Xiaoping conditioned China to move toward privatising of state-owned housing which encouraged returning of smaller properties to their owners. The 1982 Constitution of the PRC recognises “the right of citizens to own lawfully earned income, savings, houses and other lawful property”.<sup>736</sup> Further encouragement of private ownership of housing came with the issuance of Decision on Deepening Housing Reform in Urban Areas by the State Council which allowed sitting tenants the right to purchase their apartments at subsidised prices. However, the PRC laws do not guarantee the right to adequate housing and thus do not provide protection against forced evictions. The State reserves itself the right to evict tenants and appropriate property where it is deemed necessary in the interest of the State and the public. As such in major towns of Tibet, more prominently Lhasa, the State evicted people from their houses which the State considered fit for demolition. A more detailed account of the demolition of traditional and historic buildings will be given in the next section.

Radical change in the housing policy happened in the mid to late 1990s with a shift in government’s view of it—housing was no longer a core welfare benefit available to all citizens but rather a commodity. This has resulted in the spiraling rise in the rents, which put the Tibetans at disadvantaged positions. Market rents in Lhasa, for instance, have been estimated at 50 per cent of the average income of Tibetans living in the old Lhasa area. Financial constraints prevent Tibetans from constructing their own houses and lack of residential permits result in forcible removal of Tibetans from towns like Lhasa. Rampant discrimination between the Tibetans and the Han Chinese discouraged the Tibetans from moving into urban cities while it encouraged the

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*Project (98-99)*, Berlin: Tibet Heritage Fund, 1998.

735 Ibid.

736 Article 13 of the 1982 Constitution of the PRC.

Chinese to reside and settle in Lhasa and other towns.<sup>737</sup>

### *Tibet's Cultural Heritage*

The Chinese Communist government started the process of “democratic reforms” as early as 1950 in the eastern parts of Tibet. Kham and Amdo were subjected to intense fury and violence of the newly formed Communist Government that was bent on bringing socialist transformation into the lives of Tibetan populace. This was followed by cultural destruction, which started with depopulation, looting and razing monasteries to the ground and ended up with disrupting the lifestyles of Tibetan villagers and nomads. The “democratic reforms” accompanied by depopulation, looting and destruction of monasteries reached Central Tibet after the 1959 revolt. The aftermath of it was near total annihilation of Tibetan monasteries, the reservoir of the vast majority of Tibetan literatures and the epicentre of cultural vibrancy in Tibet for many centuries. The Cultural Revolution that followed in the wake of the “democratic reforms” cleansed the few monastic systems that had escaped the wrath of the post-1959 Chinese onslaughts. In the TAR and Eastern Tibet more than two thousand monasteries and religious monuments were destroyed, Buddhist texts were burned or defiled, precious and sacred religious objects desecrated or transported to be sold. The religious, intellectual and cultural life of Tibet came to a grinding stop.

Virtually all physical manifestation of Tibet's unique culture was effaced in the “systematic process of national and cultural extermination intended to eradicate any and all evidence of Tibet as a separate national or cultural identity”.<sup>738</sup> Approximately 95% of Tibet's cultural heritage was destroyed.<sup>739</sup> Extensive and excessive Communist ideological indoctrination were carried out throughout the TAR and Eastern Tibet and the common mass were not only barred from preserving their culture but were made to denigrate their own traditional culture. Slightly greater cultural freedom was allowed in Tibet since 1979 and especially after Hu Yaobang's visit to Tibet in 1980. At the expense of government many surviving monasteries were partially restored and the people were allowed to rebuild local monasteries and

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737 Scott Leckie, *Destruction by Design: Housing Rights Violations in Tibet*, Netherlands: Center on Housing Rights and Evictions (COHRE), February 1994, p. 120, 116, 119.

738 ICJ, *Tibet: Human Rights and the Rule of Law*, p. 121.

739 Heather Stoddard, ‘Tibetan Publications and National Identity’, in Barnett and Akiner (eds.), *Resistance and Reform in Tibet*, p. 131.



religious monuments at their own expense. Thousands of metal statues of Buddhist figures that were transported to China were returned back to Tibet.<sup>740</sup> Relaxation in the sphere of religious practice and cultural landscape allowed the Tibetans to celebrate some religious and cultural festivals. According to Chinese government official reports, the government sponsored dance troupes and drama groups, built art and cultural centres and employed “nearly 5000 professional cultural workers, with Tibetans accounting for 90 per cent of the total”.<sup>741</sup> Yet the cultural offices monitored cultural activities and productions to remove any elements of nationalistic content.

Tibetan architectures suffered immensely with the destruction and demolition of thousands of monasteries, stupas and religious monuments. Secular architecture also suffered due to confiscation and destruction of traditionally styled houses, which were replaced by concrete building complexes that have neither elegance nor charm. Lhasa and other major Tibetan towns have been overwhelmed by new Chinese constructions, which were encouraged and promoted by Chinese development projects, so much so that the Tibetan visual character is becoming lost in many of the larger cities and towns. Although the total area of Lhasa has increased twenty times since the 1950s, to 50 square kilometres, nearly all the new constructions were meant for Chinese administrators, armed police, PLA and settlers. The Lhasa Development Plan (1980-2000), approved by the Beijing State Council in 1984, required replacing old and traditional housings with new residential complexes and eviction of at least 10,000 Tibetans from old Lhasa. The subsequent implementation of the plan involved demolition of Tibetan residential compounds, significant historic buildings and residential estates in the old Lhasa.<sup>742</sup> Between 1989 and 1993, more than half of Tibetan homes with distinctive Tibetan architectural character in Barkor, the central area of Lhasa, were demolished to create space for new constructions.<sup>743</sup> The Tibetan part of Lhasa, which is now less than one square kilometre and accounting for only 2% of Lhasa today,<sup>744</sup> is located around the Jokhang temple—the only area where

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740 Rinbur Trulku, *Search for Jowo Mikyoe Dorjee*, Dharamsala: DIIR, 1988.

741 ‘Tibet- Its Ownership and Human Rights Situation’, a White Paper published by the Information Office of the State Council of the PRC, September 1992. See *White Papers of the Chinese Government (I) 1991-1995*, p. 37.

742 TCHRD, *Dispossessed: Land and Housing Rights in Tibet*, pp. 82-3

743 Eva Herzer and Lobsang Rabgey, ‘Housing Rights Violations in Occupied Tibet’, *Tibet Environmental Watch*, May 1996. <http://www.tew.org/development/housing.rights.report.html>

744 *Tibet Daily*, 27 February 1991.

Tibetan traditional building have survived in good number.

In 1994-95, the Chinese government demolished the historic village of *Shol*, which lay at the foot of the Potala Palace, to construct a huge Chinese plaza and park. In the first half of 1997, an estimated twenty eight historic buildings were demolished in Lhasa, including the *Tromsikhang Palace*, one of the most important historic buildings which was built in the 17<sup>th</sup> century by the 6<sup>th</sup> Dalai Lama.<sup>745</sup> Throughout the 1990s and even at the beginning of the 21<sup>st</sup> century the demolition of old and historic buildings continued unabated. This has raised concerns at the 27<sup>th</sup> session of UNESCO's World Heritage Committee, held in Paris from June 30 to July 5, 2003. The Committee called for a halt to demolitions, "particularly in the *Shol* area" and requested the State Party to "inform the World Heritage Committee of its policy on the conservation of the historic urban fabric of Lhasa".<sup>746</sup> Many view the demolitions and urban constructions as a means to wipe out yet another important aspect of Tibet's distinctiveness and ICJ identified the destruction of Tibetan housing in Lhasa as a "typical occupier's tactic and a violation of human rights".<sup>747</sup> As one commentator held:

If the Development Plan is implemented, the Tibetan quarter of Lhasa will effectively cease to exist. In the Plan's drawing for the year 2000, the old city has been consumed by an amorphous mass of modern Chinese buildings with "Tibetan characteristics". Only the Jokhang and Ramoche temples, Tibet's oldest places of worship and the religious centre of the country, and a handful of historic homes have been earmarked for preservation as "cultural relics"—in keeping with the mayor's intention "to leave a few examples of traditional Tibetan architecture, here and there, as a souvenir".<sup>748</sup>

### **3.7.2 Environmental Impacts and Population Influx**

In this highly interconnected world it is reasonable to assume that any critical issues affecting a nation would have repercussions that are felt across the globe. It is particularly true of environmental issues and even more so within a nation. In 1998,

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745 TIN, Doc. 21, September 1993.

746 'UNESCO asks China to halt demolitions in Lhasa', *Tibetan Review*, September 2003, p. 14.

747 ICJ, *Tibet: Human Rights and the Rule of Law*, p. 221.

748 Scott Leckie, 'Housing as a Social Control in Tibet', *The Ecologist*, vol. 25, no. 1, January/February 1995, p. 10.

massive floods along the Yangtze River, the worst since 1954, left millions of Chinese people homeless, destroyed 11 million acres of the national cropland and caused the destruction of billions of dollars worth of property.<sup>749</sup> The Chinese Government cited “deforestation, building of roads and the digging of mines as significant contributors to soil erosion that has silted up river beds, raising water levels,”<sup>750</sup>—a natural disaster triggered by human actions. The government banned logging in the upper reaches of the Yangtze River in Sichuan in some of the traditional Tibetan areas. The Yangtze flood became “the turning point that really brought the need for environmental protection in Tibet to Beijing’s attention”.<sup>751</sup> Prior to that, no specific environmental policies existed to safeguard Tibet’s fragile ecology. In this chapter I will discuss in greater detail the environmental impacts and the ecological consequences of China’s developmental policies in Tibet and the protective measures installed in place to maintain a better balance in Tibet’s ecology.

It is universally accepted that China is facing huge environmental problems. For the purpose of better understanding how widespread and how practical the policy measures implemented to preserve Tibet’s environment are, I will briefly narrate the short history of China’s environmental policies and regulations. After ascending to power in 1949 the Communist Party mainly focused on reconstructing the war-torn nation and devised plans to achieve rapid economic growth. In pursuit of rapid development the government cleared many hillsides and filled wetlands to make new farmlands, resulting in increased rates of degradation and pollution. Driven by unrealistic and impractical ambitions of transforming China from the primary agrarian economy dominated by peasants to modern industrialised communist society the CCP initiated the Great Leap Forward (1958-62) which had huge negative consequences on China’s environment. A large number of trees were felled, denuding the local environment in many places, to supply fuel for steel production out of scrap metal. Moreover, land reclamation projects destroyed wetlands and led to increased flooding. The Cultural Revolution (1966-69) retained the pace of deterioration of China’s environment as wanton exploitation of natural resources continued. Starting around

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749 Lester R. Brown and Brian Halweil, ‘The Yangtze Flood: The Human Hand, Local and Global’, Worldwatch Institute, 13 August 1998. See: <http://www.worldwatch.org/node/1628>.

750 ‘Yangtze flood crest pushes through central China’, CNN, 25 August 1998, <http://edition.cnn.com/WORLD/asiapcf/9808/25/china.floods.01/>.

751 Environmental and Development Desk, *Tibet 2003: State of the Environment*, Dharamsala: DIIR, 2003, p.7.

1972, modest efforts were made to deal with ecological problems after the PRC sent a delegation to the First United Nations Conference on the Human Environment in Stockholm. In 1973, the Chinese government created a national environmental protection organ and environmental planning became included in national plans. In the late 1970s, amidst the intensified environmental debates of whether to consider the environmental impacts of economic growth or to follow the “pollute first and clean up later” pattern, the government promoted the Environmental Protection Law in 1979 for trial implementation, which was adopted only in 1989. In March 1998, the National Environmental Protection Agency (NEPA) was upgraded to the State Environmental Protection Administration (SEPA), a ministerial status,<sup>752</sup> when the Central government was heavily cutting down on its employees. This was seen as a clear indication that the new Jiang Zemin administration would take seriously the environmental problems which over the past two decades had degraded so severely. Ironically, in that same move SEPA’s meagre staff of 600 was reduced by half to 300 people. Furthermore, former premier Zhu Rongji eliminated the State Environmental Protection Commission, which was the overarching forum for top-level coordination on environmental protection, thus reducing SEPA’s ability to coordinate environmental policy at the top-level.<sup>753</sup> In the summer of that same year the Yangtze deluge came and killed thousands of people and damaged about billions of dollars worth of properties. In the wake of the floods the Chinese authorities called for tighter forest regulations and set up the National Natural Forest Protection Project to halt logging and encourage reforestation in the upper reaches of the Yangtze and Yellow Rivers.<sup>754</sup> Other major environmental issues that endanger China include resource degradation,<sup>755</sup> population pressure,<sup>756</sup> water shortages,<sup>757</sup> pollution,<sup>758</sup> sharp

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752 Chan Zee Hon *et. al.*, ‘Green Body Upgraded to Ministry’, *South China Morning Post*, 2 April 1998, p. 10, cited in Abigail R. Jahiel’s ‘The Organisation of Environmental Protection in China’, *The China Quarterly*, no. 156, December 1988, p. 757.

753 Elizabeth C. Economy, *The River Runs Black: the Environmental Challenge to China’s Future*, Ithaca: Cornell University Press, 2004, pp. 106-7.

754 CNN reported that the Chinese authorities held excessive logging as partly responsible and had called a ban on logging in Sichuan in the Chuanxi Forest Area, where the soil erosion has nearly doubled from 60,000 square kilometres in the 1950s to 110,000 square kilometres in 1998. CNN, ‘240 Million Chinese Affected by Yangtze Flooding: Government bans logging in western Sichuan’, 23 August 1998, <http://edition.cnn.com/WORLD/asiapcf/9808/23/china.floods.01/index.html>.

755 Richard Louis Edmonds, an expert in geography, human ecology and China studies, considers resource degradation as the most threatening environmental problem that China faces. Shrinkage of cropland, water shortages, receding vegetation coverage are but a few of the resources that are degrading at a rapid pace. ‘The Environment in the People’s Republic of China 50 Years On’, *The China Quarterly*, no. 156, September 1999, p. 642.

reduction in forest resources, serious pollution, degradation of land and desertification.<sup>759</sup> Despite all these gargantuan environmental problems the Chinese government's funding for environmental protection projects have remained low. During the ninth five-year plan (1996-2000) the Chinese government invested only 0.8 per cent of gross domestic product (GDP) in the environmental protection. Although the investment was increased to 1.3 per cent of GDP in the tenth five-year plan (2001-2005) which came to about \$85 billion, some Chinese scientists consider it is far below the 2.19 per cent of GDP necessary to keep the environment from deteriorating further.<sup>760</sup>

Almost all of China's major environmental problems, as mentioned earlier, have direct or indirect impacts on Tibet, her ecology and inhabitants. Population pressure in China has resulted in massive relocation of Han Chinese to many of the western regions of China, particularly Xinjiang, Inner Mongolia and Tibet. Likewise, water shortages, especially in the northern regions of China, have prompted the government to divert water from the Yangtze River including its upper reaches in the Tibetan plateau and possible water diversion from the Yarlung Tsangpo in Southern Tibet. While there are many significant factors that contribute to the degradation of environment in Tibet I will focus on three factors that I consider are the most detrimental to the ecology, viz. the massive importation of Han Chinese, the establishment of nuclear programs and the excessive mining.

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756 He Bochuan, a lecturer in the Department of Philosophy at Sun Yat-sen University in Guangdong, describes the population pressure as China's single greatest threat that "lies at the heart of China's environmental and development crisis, making its other problems pale by comparison". He, *China on the Edge: The Crisis of Ecology and Development*, San Francisco: China Books and Periodicals, Inc., 1991, p. 1.

757 Lester R. Brown, 'Chinese Water Table Torture', 26 October 2001.

<http://www.grist.org/news/maindish/2001/10/26/table/>

758 Eduard B. Vermeer, 'Industrial Pollution in China and Remedial Policies', *The China Quarterly*, No.156, Special Issue: China's Environment, December 1998, pp. 952-985.

759 Hu Angang, a research fellow at Research Centre of Eco-Environmental Sciences, Chinese Academy of Sciences, has identified ten major environmental problems in China in his book chapter, 'China's Environmental Issues', viz. serious water loss and soil erosion, sharp reduction in forest resources, accelerated extinction of biospecies, degradation of pastures, rapid desertification, frequent natural disasters, worsening pollution of water bodies, serious air pollution, extensive pollution by solid wastes and extension of environmental pollution to rural areas. Stuart Harris & Gary Klintworth (ed.), *China As a Great Power: Myths, Realities and Challenges in the Asia-Pacific Region*, New York: St. Martin's Press, 1995, pp. 329-332.

760 Elizabeth C. Economy, *The River Runs Black: the Environmental Challenge to China's Future*, p. 107.

### 3.7.2.1 Population Transfer and Impact on Tibet's Ecosystem

Although in the previous chapter I discussed the population transfer policy practised by the Chinese government, it was done in the context of political strategy to maintain stability. However, this policy serves a multi-purpose function of sinicisation of Tibet, maintaining regional stability, relieving population pressure to a certain degree. Richard Edmonds, a Chinese studies expert, maintains that “since 1950s, considerable numbers of Chinese have been relocated to the west to develop poor areas, settle the frontiers and reduce population pressure in the east” with serious consequences of degradation of semi-arid fragile ecosystems.<sup>761</sup> Numerous environmental consequences, on pastoral grasslands, forestry, water resources and minerals, have resulted from the population transfer policy which was described by the Dalai Lama as “the most serious threat to the survival of Tibet’s culture and national identity”.<sup>762</sup> Tibet, situated at a very high altitude, has a fragile ecosystem with low carrying capacity<sup>763</sup> and as such any sudden change in the pattern of land usage, in the amount of pastoral grazing, in the quantity of logging and so on could have grave implications. Over the several decades we have seen numerous repercussions of excessive human behaviour in Tibet in the form of the Yangtze flooding, the Bangladesh flooding of 1987 and 1988, spread of desertification and degradation of land.

### 3.7.2.2 Agriculture and Pastoral Grasslands

Tibet’s land resource comprises of extensive grasslands which make up about 70% of the area, with 5% forest area and only 2% cropland.<sup>764</sup> Despite the small quantity, Tibet’s arable lands have supplied sufficiently the essential food grain needs of the Tibetan populace. Agriculture, primarily highland barley-growing along with nomadic

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761 Richard Louis Edmonds, ‘The Environment in the People’s Republic of China 50 Years On’, *The China Quarterly*, No.156, September 1999, p. 642.

762 ICJ interview with the Dalai Lama, 3 December 1996, Dharamsala, cited in ICJ, *Tibet: Human Rights and the Rule of Law*, p. 101.

763 According to Ng Wing-fai and Zhou Yixing “about 60-80% of Tibet (TAR) is ecologically fragile, including the following regions: the high region (above 3,500 m high), cold region (annual average temperature of below 0° C), dry region (annual rainfall of less than 250 mm), desert region (grassland coverage of less than 50%, or forest coverage of less than 5%), windy region (wind over grade 8 for 80 days annually), sandy region (sandy area of more than 80%), steep region (where the slope is more than 40°).” Ng Wing-fai and Zhou Yixing, ‘Tibet’, *Developing China’s West: A Critical Path to Balanced National Development*, ed. Y. M. Yeung and Shen Jianfa, Hong Kong: the Chinese University Press, 2004, p. 554.

764 DIIR, *Tibet 2000: Environment and Development Issues*, pp. 45-46.

dairy products has been the traditional foundation of the Tibetan economy.<sup>765</sup> The principal croplands were located along the major rivers of Tibet in the river valleys of Drichu, Zachu and Gyalmo Ngulchu in Kham, the Yarlung Tsangpo valley in U-Tsang and the Machu valley in Amdo, with the most fertile Kham province accounting for 85% of ethnic Tibet's cultivable land.<sup>766</sup> Major crops include maize, rice, mustard, millet, sorghum and rape-seed with highland barley as the principal crop. With over 80% of Tibet's population still practising farming, agriculture is the main occupation of the Tibetan people.<sup>767</sup> Another important occupation of the Tibetan people is the pastoral nomadism in which the nomads migrate with their herds of yaks, sheep and goats over the vast natural rangelands that extend from Tibet's north western regions of Chang Thang (Northern Plateau) to the north eastern province of Amdo and Kham.<sup>768</sup> The abundance of grasslands and the practice of seasonal migration by the nomads had facilitated retaining and recovering the fertility of the lands over many centuries. However, Tibet's traditional practices of farming and nomading have been disrupted severely with the Chinese occupation of Tibet and the arrival of continuous stream of Chinese migrants to Tibet.

The importation of huge numbers of Chinese settlers in Tibet has led to a sharp drop in the total cultivated land per person which prompted the Chinese authorities to increase the area of land under cultivation by converting pastoral lands to farmland and boost yields per hectare on existing farmland through the heavy use of chemical fertilisers. Experts believe that both have grave environmental consequences of reducing the fertility of soil, damaging the fragile ecosystem with excessive use of chemical fertilisers, polluting the land with nitrate run-off and changing the traditional land use pattern. Until 1959 only 0.2% of land in U-Tsang was used for farming.<sup>769</sup> However, necessitated by the rise of Chinese settlers in the region, by 1991 the cultivated land area has increased by 50%—expanding into previous pastoral lands and onto marginal slopes which are prone to soil erosion. Consequently, more erosions

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<sup>765</sup> Dawa Norbu, *China's Tibet Policy*, p. 384.

<sup>766</sup> Ibid., p. 45.

<sup>767</sup> TIN 1999a p.42, for details see DIIR publication, *Tibet 2000: Environment and Development Issues*.

<sup>768</sup> DIIR, *Tibet 2000: Environment and Development Issues*, p. 42.

<sup>769</sup> Such small percentage of land use for agricultural purpose is due to extremely dry weather which confined the arable land to the river valleys.

take place in the marginal slopes <sup>770</sup> and also in areas where overgrazing took place due to the reduction in pastoral lands.<sup>771</sup> Moreover, the excessive use of chemical fertilisers and pesticides, as required by the government, is polluting the land and reducing the fertility of soil. The Tibetan nomads are facing similar problems with limited and inadequate use of pasture lands for their herds due to ever increasing Chinese presence which led to changing land use. Despite all the negative consequences, the Central government, instead of checking the population influx, is encouraging the migration in the name of economic developments of the local areas.

### 3.7.2.3 Forestry and Wild Life Population

Tibet's high plateau contains vast arid land, fertile river valleys and ancient forests that cover 5 per cent of the land. The major forested areas which covered over 25.2 million hectares prior to 1950 lie in the southern regions of Dram, Kyirong, Pema Koe, Kongpo, Nyingttri, Tawu, Metog and Monyul, in the eastern regions of Drayab, Zogong, Kandze, Potramo, Dartsedo, Nyarong and Ngaba, and the southeast areas of Dechen, Balung, Gyalthang, Mili, Lithang, Zayul, Markham and Dzogang.<sup>772</sup> The Tibetan Plateau is blessed by one of the oldest forest reserves in Central Asia which are filled with over 100,000 species of plants that grow on high localities, 532 species of birds and other rare animals such as golden monkey, giant panda, white lipped deer and takin.<sup>773</sup> The traditional mode of conservation was based on the Buddhist principles of interdependence and compassionate outreach for all beings. Such ethical belief helped sprout symbiotic relationships between the Tibetan people and their natural habitat and had helped preserve Tibet's rich resources. China, on the other hand, has a long history of ecological degradation with large-scale deforestation dating back to the 14<sup>th</sup> century Ming period during which all the forests in the central region of the Huang River valley and the Xiang River valley were seriously reduced.<sup>774</sup> With the forestry sector playing an important role in the economy of the nation, providing 40 per cent of rural household energy, almost all of the lumber and

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770 DIIR, *Tibet: Environment and Development Issues* 1992, pp. 55-56.

771 Reliable figures for the extent of the degradation of grassland is not available but reports indicate a degradation of 17.2 per cent (*Xinhua News Agency*, 5 June 1998) to over 30 per cent (in a US Embassy report of 1996) of grassland in the TAR. These sources are cited in *Tibet 2000: Environment and Development Issues*, p. 53.

772 DIIR, *Tibet 2000: Environment and Development Issues*, p. 53.

773 DIIR, *Tibet's Environment: A Crucial Issue*, Dharamsala, 1998, p.11.

774 Richard L. Edmonds, *Patterns of China's Lost Harmony: A Survey of the Country's Environmental Degradation and Protection*, London; New York: Routledge, 1994, p. 334.



wood products for the large construction sector and material for domestic pulp and paper industry, China continues to rush along the path of massive denudation of their greeneries. China's Ministry of Forests estimates that each year 500,000 hectares of forest area is lost.<sup>775</sup>

“Men are a foe to the woods, in proportion to their numbers,” thus wrote J. Robertson in 1808.<sup>776</sup> This is never truer anywhere than in Tibet where the huge influx of Chinese settlers has led to deforestation and substantial reduction in forest cover. Urbanisation and commodification, new roads and new fields; all require clearing of huge forest areas for woods, land, and fuels. The mounting flow of Chinese settlers into Tibet has increased the total population in the traditional Tibet to 13.5 million and the strain on the local ecology has increased manifold. Although the effects of population increase is taking its toll, the worst is due to planned commercial felling of trees, mainly timber, which is responsible for the 46 per cent reduction in forest area in Tibet. “After the industrial world made its way onto the Tibetan plateau *via* Chinese modernisation the forests have been reduced nearly by half. This is mostly through planned commercial timber extraction,” wrote Daniel Winkler.<sup>777</sup> In 50 years of occupation some 70 state logging enterprises have felled a total of 120 million cubic metres of wood from the forests of Eastern Kham (Sichuan) alone. In other parts of Tibet deforestation has been proceeding at similar pace. For instance in Ngaba (Ch: Aba) and the Tibetan and Qiang Autonomous Prefectures forest cover decreased from 29.5 per cent in the 1950s to 14 per cent in the 1980s which has left eight out of eleven forest factories in Ngaba district with exhausted resources. The World Watch Institute reports estimate a loss of 85 per cent of forest cover from the Tibetan Plateau to the Yangtze River basin.<sup>778</sup>

Along with the decline in the forest areas and pasture lands the wildlife population of

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775 Ministry of Forests (PRC), *China-Forestry Development in Poor Areas Project, 1997: an application submission to the World Bank*, Beijing, 6 January 1997.

776 J. Robertson, *General View of Agriculture in the County of Inverness*, Board of Agriculture, London, 1808. Quoted in A. S. Mather and C. L. Needle, ‘The Relationships of Population and Forest Trends’, *The Geographical Journal*, Vol. 166, No.1, March 2000, p. 2.

777 Daniel Winkler, ‘Deforestation in Eastern Tibet: Human Impacts Past and Present’, in *Development, Society and Environment in Tibet: papers presented at a panel of the 7<sup>th</sup> Seminar of the International Association for Tibetan Studies, Graz*, edited by G. E. Clarke, Wien: Verl. Der Österr. Akad. der Wiss., 1995. [http://ourworld.cs.com/danwink/deforestation\\_1998.htm?f=fs](http://ourworld.cs.com/danwink/deforestation_1998.htm?f=fs)

778 Lester R. Brown and Brian Halweil, ‘China’s Water Shortage Could Shake World Food Supply’, *World Watch*, July/August, 1998, pp. 10-12.

the region is falling as they lose their natural habitats. Other human activities such as mining, construction, and expanded croplands leave less and less land for the wildlife. Directly affecting the wildlife is hunting and poaching that are done for commercial gain. The PLA brigades often go for hunting and machine-gun herds of wild animals across the plateau for fun and for animal parts. *The Environment and Development Report of the People's Republic of China* reported that up to 5000 plant species of higher order are on the verge of extinction and estimated 312 precious animals and plants are listed for priority protection which includes such endangered species as high-nosed gazelle, giant panda, Tibetan antelope, Yunnan snub-nosed monkeys and Manchurian tiger.<sup>779</sup> Many of the listed plants and wildlife are found primarily in Tibet.

### 3.7.2.4 Water Resources

With the growing scarcity of fresh water evident everywhere,<sup>780</sup> Tibet's importance as the source of ten major river systems in Asia will grow even more in the 21<sup>st</sup> century. Rivers from the Tibetan Plateau run through some of the world's most populous regions, feeding roughly 47 per cent of world's population. Hundreds of millions of people in China, India, Bangladesh, Pakistan, Nepal, Bhutan, Vietnam, Burma, Cambodia, Laos and Thailand depend upon Tibetan watersheds and rivers for their survival. China's two largest rivers, the Yangtze River and the Yellow River, have their headwaters in Tibet's northeastern and eastern provinces. Net hydrological flows in Tibet total 627 cubic kilometres per year and it makes roughly six percent of Asia's annual run-off. And the availability of fresh water in Tibet ranks fourth in the world with 104,500 cubic metres per year. The primary origins of many of these rivers are the gigantic expanses of glaciers, a total area of 42,946 square kilometres, that cover Tibet's high mountains and groundwater sources.<sup>781</sup> These perennial sources form stable or base flows that are crucial for sustaining hydrological regimes.

Each year when the spring sun melts the snow on the mountains and when the monsoon arrives between July and September, the major rivers flowing out of Tibet

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779 Cited in Hu Angang, 'China's Environmental Issues', in *China as a Great Power: Myths, Realities and Challenges in the Asia-Pacific Region*, p. 330.

780 Sandra L. Postel, 'Entering an Era of Water Scarcity: The Challenges Ahead', *Ecological Applications*, vol. 10, no.4, August 2000, p. 941.

781 DIIR, *Tibet 2000: Environment and Development Issues*, p.19.

flood; replenishing the topsoil of downstream valleys with mineral rich silts and thus maintaining the fertility of downstream ecosystems. The fertile river valleys of Brahmaputra, Yellow Rivers and Mekong are cases in point. However, every now and then the floods turn catastrophic and disastrous and cause much destruction including huge loss of human lives. For example, the floods in Bangladesh in 1987 and 1988 and the Yangtze floods of 1998. From the occurrences of recent decades it appears that catastrophic floods are becoming more regular and more disastrous, indicating that human interference in hydrological systems, continuing deforestation and industrial emissions of global warming gas are affecting the weather patterns.

Economic development and industrialisation in the TAR are starting to pollute Tibet's land and water resources which could have far-reaching implications. A government report released by the TAR administration in 1996 stated that in that very year 41.9 million tons of waste was released in the Lhasa River.<sup>782</sup> With the Chinese government investing so much in the development of Tibet's industries Lhasa will soon follow the path of China's other cities. Whereas industrial development is still relatively young and the population density low, mining which is one of the "four pillar" industries in the TAR has become a major source of pollution. Chemical pollutants such as sulphuric acid, cyanide and heavy metals from the mining activities are released into rivers of which more will be discussed later. Another constant source of highly toxic pollutant is the nuclear wastes that had been dumped and buried in the high and barren places in Tibet at the height of China's nuclear race in the 1960s and 1970s, specifically wastes generated by the Ninth Academy.<sup>783</sup> The headwaters of the Yellow River are close to the sites of the Ninth Academy.

Tibetans fear that the Han Chinese encroachment will undermine not only their unique cultural identity but also their environment. Elizabeth C. Economy succinctly describes the Tibetan sentiments thus:

According to at least one report, much of Tibet's environmental degradation appears to have come at the hands of Han settlers, including rampant deforestation—up to 40 per cent of Tibet's old-

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<sup>782</sup> *Tibet Daily*, 1997 cited in DIIR, *Tibet 2000: Environment and Development Issues*, p. 23.

<sup>783</sup> More explanation about nuclear program in Tibet will be discussed in the next section.

growth tropical and subtropical mountain forests have already been clear-cut and shipped east. Rare plant and animal species are becoming extinct as Chinese officials exploit them for foreign markets, and the grasslands are suffering as Chinese demand for meat has led to overstocking of yak, goat, and sheep and the loss of Tibetan traditional herding and grazing practices.<sup>784</sup>

### 3.7.3 Nuclear Wastes

Prompted by a confrontation with Washington in 1954-55 over the offshore islands of Quemoy and Matsu in the Taiwan Strait, Mao authorised a full-scale effort to make China a nuclear power.<sup>785</sup> In 1958, the Chinese Government established the Beijing Nuclear Weapons Research Institute, which was replaced by the Northwest Nuclear Weapons Research and Design Academy—later came to be known as the Ninth Academy.<sup>786</sup> With initial assistance from the Soviet Union, China entered the nuclear age at breakneck speed and succeeded in developing nuclear weapons within a period of ten years. China tested its first atomic bomb in 1964 at Lop Nor.<sup>787</sup> In rapid succession China tested its second to fourth nuclear bombs employing different testing modes, such as air-drop test, using thermonuclear material and guided missile,—displaying a great versatility. Since 1970, China has exploded nuclear weapons at the rate of about one per year.<sup>788</sup> However, from the late 1950s China's relations with its neighbouring states started deteriorating and hostilities mounted. In 1958, a second Taiwan Strait crisis led to U.S. nuclear weapons deployments on Taiwan.<sup>789</sup> In 1960, the Soviet Union and China broke off relations and in 1962 war

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784 Elizabeth C. Economy, *The River Runs Black: the Environmental Challenge to China's Future*, p. 215.

785 William Burr & Jeffrey T. Richelson, 'Whether to "Strangle the Baby in the Cradle": The United States and the Chinese Nuclear Program, 1960-64', *International Security*, Vol. 25, No.3, Winter 2000-2001, p. 57.

786 Located in Haiyan complex in Qinghai Province in Tibet, the Ninth Academy, so called because of being under the jurisdiction of the secretive nuclear group of Ninth Bureau, was responsible for developing China's first atomic bomb and first hydrogen bomb. Although the detail functions of the Ninth Academy are sketchy it is clear that it was responsible for designing all of China's nuclear weapons through the mid-1970s. Up to the early 1970s it also served as a large nuclear stockpile site. In 1987, the State Council approved the closure of the facility, and personnel were slowly transferred to other facilities. 'Northwest Nuclear Weapons Research and Design Academy', a report by Federation of American Scientists. <http://www.fas.org/nuke/guide/china/facility/haiyan.htm>

787 Michael S. Minor, 'China's Nuclear Development Program', *Asian Survey*, vol. 16, no. 6, June 1976, p. 573.

788 Ibid., pp. 573-4.

789 William Burr & Jeffrey T. Richelson, 'Whether to "Strangle the Baby in the Cradle": The United States and the Chinese Nuclear Program, 1960-64', *International Security*, vol. 25, no. 3, Winter

broke out between China and India over border issues. Sino-Soviet clashes along the Ussuri River in 1969 further intensified the fears of the Beijing leaders and made urgent the exigencies of moving industrial bases to remote regions of China in what is known as “the Third Line facilities”. Between 1964 and 1971 China carried out massive construction programs in the remote areas of southwestern and western provinces of Sichuan, Yunnan, Guizhou, Gansu, Ningxia and Qinghai, to create a “huge self-sufficient industrial base area to serve as a strategic reserve in the event of China being drawn into war”<sup>790</sup> with the Soviets or the Americans. The Third Line facilities envisaged more modern and complete nuclear fuel cycle infrastructure for nuclear weapons than the one built based on Soviet model.<sup>791</sup> The Ninth Academy was one of the facilities moved in the Third Line to Haiyen county which is one of the four counties in Habei Tibetan Autonomous Prefecture. Right before the time of the announced “closure” of the Ninth Academy, a missile production centre, located at Drotsang which is 63 km east of Xining, was set up to manufacture anti-frigate missiles which are tested in Tibet. The facility which is seen as a surrogate of the Ninth Academy was massively expanded in 1995.<sup>792</sup>

The construction of the Ninth Academy, like other facilities, was carried out in a short period of time without proper waste disposal methods. Initially waste was dumped in shallow, unlined landfills from which waste could easily seep into the ground, more so as years went by, polluting the underground watershed and series of natural aquifers underneath and nearby the Ninth Academy. However, it is still hard to know much about the nature and quantity of radioactive waste generated by the Ninth Academy. Whether the Ninth Academy produced high-level nuclear waste due to its small reactor as it claimed or engaged in low-concentration fuel reprocessing, it would entail significant nuclear waste, disposed in a “roughshod or haphazard manner” in adjacent land or water sites.<sup>793</sup> High smokestacks observed at the plant indicated need to disperse gases more effectively which could be plutonium or

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2000-2001, p. 58.

790 Barry Naughton, ‘The Third Front: Defence Industrialization in the Chinese Interior’, *The China Quarterly*, no. 115, September 1998, pp. 351-86.

791 Robert S. Norris, Andrew S. Burrows, and Richard W. Fieldhouse, *Nuclear Weapons Databook Volume V: British, French and Chinese Nuclear Weapons*, Boulder: Westview Press, 1994, pp. 349-50.

792 DIIR, *Tibet 2000: Environment and Development Issues*, p.105.

793 John Ackerly, *Nuclear Tibet: Nuclear Weapons and Nuclear Waste on the Tibetan Plateau*, Washington: ICT, 1993, p. 18.

uranium in gaseous form. His Holiness the Dalai Lama denounced “China’s use of Tibet for the production of nuclear weapons and dumping of nuclear waste” in his Five Point Peace Plan for Tibet. Because of its proximity to the headwaters of the Yellow River, the Ninth Academy posed the biggest threat to the purity of China’s second longest river. With poor waste management and high mercury waste content of nuclear weapons factories China is said to have dumped huge amounts of mercury into the river.<sup>794</sup> Thus, the Ninth Academy posed a huge threat to the population of local areas and millions of people living in the downstream regions of the Yellow River.

Another nuclear hazard to the Tibetan Plateau comes from the storage of nuclear wastes. In 1984, the *Washington Post* carried a report stating that China has agreed to store voluminous quantities of radioactive wastes from European nuclear reactors. The paper went to say that China would be paid up to US \$6 million to dispose 4,000 tons of used nuclear fuel over a period of sixteen years.<sup>795</sup> China agreed to store West German nuclear waste for deliveries of nuclear power plant by German companies and also with Taiwan they made a deal to dispose Taiwan’s spent fuel rods for foreign exchange. However, pressure from the German Green Party prompted both the Chinese and the German government to deny that the plan was implemented. In 1992, according to *Greenpeace Waste Trade Update* Baltimore in collusion with the TAR arranged to store toxic sludge in Tibet<sup>796</sup>. These wastes are likely to be stored in Xinjiang Province or on the Tibetan Plateau.<sup>797</sup> Before the construction of the new Qinghai-Tibet railway, lack of transport infrastructure prevented China from transporting hazardous materials and dumping nuclear wastes. However, the new railway which passes through vast, barren, and cold areas of Tibet could be used to take toxic wastes deep into the heart of Tibet.

#### **3.7.4 Mining**

The third major environmental degrader in Tibet is the government’s promotion of excessive mining. Prior to the Chinese occupation mining of mineral resources was

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<sup>794</sup> Ibid., p. 24.

<sup>795</sup> Michael Weisskopf, ‘China Reportedly Agrees to Store Western European Nuclear Wastes’, *Washington Post*, 18 February 1984.

<sup>796</sup> *Greenpeace Waste Trade Update*, Vol. 4, Issue 1, March 1991.

<sup>797</sup> John Ackerly, *Nuclear Tibet: Nuclear Weapons and Nuclear Waste on the Tibetan Plateau*, pp. 31-32.

minimal and mechanised industrial-scale mining was unheard of. However, the situation changed dramatically after the incorporation of Tibet into the PRC which brought the land and resources under the direct State control. Exploration works began in the early 1950s in Eastern Tibet, particularly in the Tsaidam Basin, located in Tsonub Mongolian and Tibetan Autonomous Prefecture (M&TAP) in Qinghai Province, which is blessed with promising oil fields, salt lake resources and gold mines. The Qinghai Salt Industry claimed that Tsaidam has the largest potassium-magnesium deposit in the whole of China.<sup>798</sup> The opening of Xining-Golmud railway in 1984 facilitated the exploitation works at various mines in the regions including the Tsaidam Basin. Furthermore, under China's Western Development Campaign, Tsaidam Basin acquired a greater importance for attracting foreign and domestic investments in the region, especially in regards to the development of oil and gas fields.

Tanjianshan in Dachaidan, which has estimated reserves of 52 tonnes, is the largest gold producer in Qinghai Province. The deposit which was discovered in 1989 is under the administration of Qinghai's No. 1 Geology Exploration Unit and Dachaidan administrative committee (county-level) both of whom have jointly formed the Dachaidan Jinlong Mining Development Company. The Australian company Sino Mining International, after the first phase of exploratory drilling plan and investment of \$2.1 million, pronounced that the deposit could produce as much as 2.8 tonnes of gold per year once fully operational.<sup>799</sup> However, the company pulled out of the project in February 2001 stating that the project would not be sufficiently profitable.<sup>800</sup> The same company, however, signed a contract with Deyang Mineral Resource Development Company to explore for gold in the Jinkang area, located in Kakhog (Ch: Hongyuan) county, Ngaba (Ch: Aba) Qiang and Tibet Autonomous Prefecture (Q&TAP), Sichuan. In Sichuan Province, Dongbeizhai deposit is the largest known gold resource with 52 tonnes of gold reserves.<sup>801</sup> Other smaller gold mines are scattered throughout Tibet.

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798 TIN, *Mining Tibet: Mineral Exploitation in Tibetan Areas of the PRC*, London: TIN, 2002, p. 20.

799 Project information of the Sino Mining Limited's exploratory works in Tibet in 2000 can be accessed at [www.sinomining.com.au](http://www.sinomining.com.au).

800 'Sino Mining Ltd has no current plans to develop mine asset in Tibet', *Australia Tibet Council Media Release*, 5 February 2001.

801 Cited in TIN, *Mining Tibet: Mineral Exploitation in Tibetan Areas of the PRC*, p. 27.

Copper mining is another profitable venture that the TAR administration has been promoting since the mid-1990s. The TAR has the largest copper deposits in China after Jiangxi Province, which are concentrated mainly in the copper belt that runs through Chamdo Prefecture (the TAR) into Dechen TAP (Yunnan) and into the edge of Kardze TAP (Sichuan). Yulong in Chamdo Prefecture has the largest known deposit in this belt with estimated 6.5 million tonnes of prospective reserves. The Western Mining Company based in Xining was awarded the contract to develop Yulong copper mines and is expected to produce 100,000 tones by 2010.<sup>802</sup> Another promising copper deposit is in Saishithang in Tsolho (Ch: Hainan) TAP in Qinghai Province. Tsolho reportedly has 62 per cent of the Qinghai's copper reserves of which Saishithang accounts for the largest copper mine.

The Chinese Government is investing heavily in the mining industry in Tibet. The Government has launched several mining projects during the Eighth (1991-1995) and Ninth Five Year Plans (1996-2000). The "43 Development Projects" approved at the Second Work Forum on Tibet and the "62 Development Projects" launched at the Third Work Forum on Tibet had many large schemes that were aimed at expanding and speeding up the mining industry. From its young industrial stage in the 1990s the mining industry has developed so much that it is now considered as one of the pillar industries of Tibet's economy.<sup>803</sup> The emphasis on rapid economic development forced the industry to expand at a rapid pace all across Tibet. From the uranium mines in Kanlho Tibetan Autonomous Prefecture to the chromite mines in Lhoka, the copper deposits in Chamdo and Amdo to the oil and gas fields in Tsaidam Basin and Chang Thang, the minerals are extracted as much as the growing industry can handle. For instance, Shar Lung chromite mine in Nagchu region in Kham is now exhausted due to over production with more than 60,000 tons of chromite ore extracted between 1978 and 1979 and 300,000 tons of the ore between 1980 and 1985. Copper mines in Yulong and Saishithang are mined heavily to curtail China's copper imports.

"Of all the economic activities in the world's mountains, nothing rivals the destructive power of mining," declares a World Watch Paper.<sup>804</sup> Although the environmental

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802 Ibid., p. 31.

803 Chinese government website: <http://www.china.org.cn/english/features/67819.htm>.

804 Derek Denniston, *High Priorities: Conserving Mountain Ecosystems and Cultures*, World Watch



consequences of mining are unreported by the Chinese authorities in Tibet it is fairly extensive. Destabilisation of fragile mountain slopes, deforestation and degradation of pastures, water contamination and air pollution are taking destructive tolls on Tibet's ecology. Many pastoral lands have been transformed into mining zones thus devastating the subsistence of nomads. More than 17,000 nomads were compelled to look for a new livelihood when a huge uranium deposit was discovered in Riwoche, Kham in 1990.<sup>805</sup> Hundreds of thousands of litres of polluted water from mining in Tibet flow into major rivers like the Yangtze. At an International Symposium in Qinghai in 1998 Chinese environmental scientists Song Xinyu and Yao Jianhua, from the Commission for the Integrated Survey of National Resources, reported dismal pollution control measures at mines in the Tsaidam Basin. They stated, "There are few measures to prevent pollution, with the result that wastes pour into the rivers, endangering livestock, contaminating lakes downstream".<sup>806</sup> Wastes from liquid mercury used in the processing of uranium at Lang Gio Uranium Mine are dumped into the Yellow River.<sup>807</sup> Because of the severely polluted state of China's river systems He Bochuan cried, "A Clean River? What's That?"<sup>808</sup> With the Chinese Government emphasising the modernisation and industrialisation of Tibet it is almost impossible to imagine the extent of environmental consequences of developments.

Although the Chinese government has declared many areas in Tibet as nature reserves; the largest of which is located in north west of Tibet in a high cold semi-desert of Chang Thang with extension of over 247,000 sq. km, the nature reserves are mostly understaffed and lack authority to enforce laws and prevent exploitative activities. This low status of the environmental agencies which is common throughout China reduces the effectiveness of these agencies. Moreover, inter-agency rivalry, lack of cooperation among the different agencies responsible for the management of the reserves caused inefficiency in their work and often prompted exploitative activities by the agencies themselves for fund. Thus, the World-Wide Fund for Nature labels

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Paper 123, Washington, D.C.: World Watch Institute, February 1995, p.35.

805 John Ackerly, 'A Poisonous Atmosphere: Nuclear Installations on the Tibetan Plateau', *China Human Rights Forum*, Spring 1993, pp.4-8.

806 Song Xinyu and Yao Jianhua, 'Resources Exploitation and Conservation of Qaidam Basin under the Principle of Sustainable Development', a paper presented to the International Symposium on the Qinghai Tibet-Plateau, Xining, 24 July 1998, cited in TIN, *Mining Tibet: Mineral Exploitation in Tibetan areas of the PRC*, p. 154.

807 DIIR, *Tibet 2000: Environment and Development Issues*, p. 96.

808 He Bochuan, *China on Edge: The Crisis of Ecology and Development*, pp.181-184.

many of the reserves as “paper parks”.<sup>809</sup> In this chapter I have chosen only three major factors that are contributing to the exponential degradation of Tibet’s environment as it is unthinkable to treat the topic, in an exhaustive manner, in a single chapter. China, with latent crisis ready to explode with increasingly severe deterioration of the environment, has passed numerous national environmental laws and regulations; and by 2001, seven environmental protection laws and more than 123 administrative regulations have been passed. Complementing them are more than 20 technical environmental regulations issued by the State Council and the 100 environmental rules and methods and 350 standards formulated by SEPA and other State Council ministries and agencies.<sup>810</sup> Yet the environmental laws are often too broad and ambiguous and the regulations too vague to provide much guidance on implementation.<sup>811</sup> Moreover, insufficient authority and lack of co-ordination between the institutional actors,<sup>812</sup> the Chinese leaders’ constant emphasis on increasing production, and the State ownership of many factories responsible for pollutions all culminate to prevent the effective implementation of environmental laws and regulations in China.<sup>813</sup> Unless, the Chinese Government works in earnest to redress these issues the fate of not just 1.3 billion Chinese but 47 per cent of humanity would be at stake.

### **3.7.5 Chinese Development Plans Threaten Peace in Asia**

Geostrategically, Tibet has always held a crucial position in Central Asia with the dominant powers formulating their strategic calculations to occupy the region, which indicated the supremacy of a dominant country’s power over others. George Ginsburgs and Michael Mathos write, “He who holds Tibet dominates the Himalayan piedmont; he who dominates the Himalayan piedmont threatens the Indian subcontinent and he who threatens the Indian subcontinent may well have all of South Asia within his reach, and with it all of Asia”.<sup>814</sup> Similar caveats were issued by a

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809 World-Wide Fund for Nature, *A Review of Wildlife and Biodiversity Conservation Needs in Tibet*, 1995; an unpublished report quoted in ICJ’s *Tibet-Human Rights and the Rule of Law*, p. 189.

810 Elizabeth C. Economy, *The River Runs Black: the Environmental Challenge to China’s Future*, p. 101.

811 Ibid., p. 101.

812 Abigail R. Jahiel, ‘The Organisation of Environmental Protection in China’, *The China Quarterly*, no. 156, Special Issue: China’s Environment, December 1998, p. 758.

813 He Bochuan, *China on Edge: The Crisis of Ecology and Development*, pp. 191-92.

814 George Ginsburgs and Michael Mathos, *Communist China and Tibet: the First Dozen Years*, Hague: Martinus Nijhoff, 1964, p. 210.

group of Indian politicians headed by Jayaprakash Narayan who urged their government to consider the relevance of Tibet to the security of many Asian nations including India, Pakistan, Nepal, Bhutan, Burma, the Soviet Republics of Central Asia and Sikkim.<sup>815</sup> The same person on a previous occasion warned the Indian people of the seriousness of Tibet's situation in regard to its neighbouring Asian states, particularly India.<sup>816</sup> China, on the other hand, viewed Tibet as both the strategic "fortress" on its southwest frontiers against imperialism and revisionism<sup>817</sup> as well as the 'soft strategic underbelly'<sup>818</sup> that poses great danger to China's entire security system. Even the official Chinese media of the time described Tibet as a strategic focal point where China confronted its two big enemies, Soviet Union and India,<sup>819</sup> who in Chinese eyes had formed alliance based on their common hostility towards China. Furthermore, the Chinese viewed that the Tibetan resistance had the potential to invite foreign intervention that could open the floodgate to sustained violence in the strategic region. In the light of these factors we could understand the early Chinese policies which encouraged the construction of roads throughout Tibet from 1959 to mid 1970s. China's First Five Year Plan (1953-1957) allocated \$4.23 billion<sup>820</sup> on "transportation and communications" of which evidently a large amount was spent for road constructions in Tibet. Recognising the region's strategic importance the Chinese made huge investments in Tibet during the first two decades of occupation which were primarily slated for road building and other infrastructural build up. Chang Chih-I, the then Deputy Director of the United Front Work Department of the CCP, in his book on national minorities writes:

With respect to communications and transportations the greater part of the new highway construction throughout the country since Liberation has been located in the frontier regions of the motherland and in areas

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815 For the full text, see *Tibetan Review*, New Delhi, April 1969, pp. 5-6.

816 'Lok Nayak Jayaprakash Narayan on Tibet: Statement from Patna, 27 March 1959', in *Indian Leaders on Tibet*, DIIR, 1998, pp. 18-19.

817 At the celebration of the 10<sup>th</sup> anniversary of the founding of Tibet Autonomous Region Hua Kuo-feng, then Minister of Public Security, described Tibet as China's strategic fortress in the southwest frontiers. Cited in Dawa Norbu, 'Strategic Development in Tibet: Implications for Its Neighbors', *Asian Survey*, vol. 19, no. 3, March 1979, p. 246.

818 J. Mohan Malik, 'India and China: Bound to Collide', *Security Beyond Survival: Essays for K. Subrahmanyam*, ed. P. R. Kumaraswamy, Sage Publications, 2004, p. 127.

819 *People's Daily*, 9 September 1975; *Peking Review*, no. 28, September 1975.

820 Feng-hwa Mah, 'The First Five Year Plan and Its International Aspects', in C. F. Remer (ed.), *Three Essays on International Economics of Communist China*, Ann Arbor: University of Michigan Press, 1959, p. 49.

inhabited by national minorities, and in the national minority areas the amount of highway restored and improved far exceeds that newly built. The highway routes involving major engineering were, among others, the following: Kangting-Tibet, Tsinghai [Qinghai]-Tibet, Tsinghai [Qinghai]-Sinkiang, Chengtu-Apa, Lanchow-Langmuszu, Kunming-Talo, Lhasa-Shigatse, Shigatse-Gyangtse, and Phari-Yatung.

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Of the above listed highways most are in Tibet proper, with few on the Tibet-Sinkiang (Xinjiang) border areas. Recently, China completed yet another major infrastructural project, when it launched the Qinghai Tibet Railway successfully, that gave a huge boost to the region's transportational systems and which apparently is causing great consternation among its neighbours.<sup>822</sup> In this chapter I will elaborate primarily on the various infrastructural developments in Tibet that have major strategic implications for its neighbouring states and how they are affecting the peace and stability in the South Asian countries.

### **3.7.5.1 Early Infrastructural Developments: Major Trunk Roads in Tibet**

Historically, lack of proper transportation and communication systems had been the biggest obstacles in China's attempt to gain full control over Tibet. However, this setback was eventually removed when Communist China, by giving the highest priority to the construction of the trunk roads in Tibet, completed 91 highways and 300 permanent bridges in the TAR alone by 1975, thus connecting 97% of the counties in the TAR by paved roads.<sup>823</sup> The constructions of the highways that linked Tibet with China began in the early 1950s and till date five major highways have been built. The Sichuan-Tibet Highway which runs from Chengdu in Sichuan to Tibet's capital Lhasa, have an extension of 2,413 km and passes through most of the major towns in Eastern Tibet. The construction works began in 1950 and was completed

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821 Chang Chih-i, *Chung-kuo ko-ming ti min-tsu wen-t'i ho min-tsu cheng-ts'e chiang-hua (t'i-kang)*, [A Discussion of the National Question in the Chinese Revolution and of Actual Nationalities Policy (Draft)], translated by George Moseley under the title *The Party and the National Question in China*, Cambridge, Massachusetts: the M.I.T. Press, 1966, p. 107.

822 Rupakjyoti Borah, 'Qinghai-Tibet Railway: China's Strategic Masterstroke', *Institute of Peace and Conflict Studies (IPCS)*, Article no. 2066, 10 July 2006.  
<http://www.ipcs.org/newKashmirLevel2.jsp?action=showView&kValue=2080&subCatID=null&mod=null>.

823 Dawa Norbu, 'Strategic Development in Tibet: Implications for its Neighbors', *Asian Survey*, p. 248.

after almost four years of hard labour without modern equipments. This highway which is probably the highest highway in the world crosses fourteen mountain ranges and twelve major rivers. The second is the Qinghai-Tibet Highway, also known as the “lifeline of the autonomous region,”<sup>824</sup> which runs from Xining in Qinghai and passes through Amdo, Gharo, Nagchukha before reaching Lhasa. It was completed in 1955 and extends over 1,965 km and runs at an average altitude of 4,000 metres above sea level. The two highways in Eastern Tibet were purposely constructed for military use and they facilitated an easy takeover of Tibet by the Communist troops in the 1950s.<sup>825</sup>

The third major trunk road is the Sinkiang (Xinjiang)-Tibet highway, the continuation of Sichuan-Tibet highway, that starts from Lhasa and goes through Shigatse, Sakya, Lhatse and Rutok in Ngari (Western Tibet) before it reaches Yarkand in Xinjiang. The work began in 1956 and was completed within a year. In 1959, a shorter route that joins Lhasa and Yarkand via Gartok was improved. Both of these roads are considered as of “strategic importance to the Chinese army in [their] attempt to control Tibet and may have been one of the contributory causes of the Sino-Indian conflict”.<sup>826</sup> The fourth trunk road is the Yunnan-Tibet highway which runs from Hsiakuan (Xiaguan) in Yunnan Province to Mangkam in Tibet and merges with the Sichuan-Tibet highway that goes to Lhasa. The construction work on the 315 km-long highway was started in 1967 and was only completed almost ten years later in mid 1976. This could be partly due to the Cultural Revolution which might have disrupted the works. The China-Nepal Highway,<sup>827</sup> also known as the “golden passageway,” starts from Shigatse (Ch: Xigaze) and passes through the towns of Lhatse, Tingri and Nyalam before reaching the Friendship Bridge in Dram (Ch.: Zham) on the Sino-Nepal border. From there the 736 km highway continues onto Kathmandu, Nepal. This stretch of highway which was constructed in three years since the initial work began in June 1962 has significant military importance as it is viewed as “a land bridge between different

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824 According to a Chinese source Qinghai-Tibet Highway carries 80 per cent of goods into and out of Tibet. The highway crosses the Kunlun and Tanggula mountains. ‘Tibet Facts and Figures: 2005’, <http://www.china.org.cn/english/zhuanti/tibet%20facts/163789.htm>.

825 Jan S. Prybyla, ‘Transportation in Communist China’, *Land Economics*, vol. 42, no. 3, August 1966, p. 273.

826 Ibid., p. 274.

827 This is the first major highway that directly connects Lhasa with Kathmandu, Nepal. It is the road commonly used by both traders as well as the escapees to reach Nepal.

parts of Asia”<sup>828</sup> and China. These networks of highways brought Lhasa and other parts of Tibet very close to mainland China and other autonomous regions; linking Tibet with Xinjiang to the northwest and Qinghai to the northeast, Yunnan to the southeast and Sichuan to the east. Driven by “political passion for road building,” the Chinese government relentlessly built more than 40,000 km of highways that include 15 trunk lines and 315 feeder lines on the highest plateau of the world.<sup>829</sup> (See Appendix 8 for comparison of length of roads in the early 1950s with the recent decades.)

Strategically, the Sichuan-Tibet highway is one of the most important highways in Tibet as it gives the PLA easy access to some highly critical locations on the Tibetan borders. This highway branches off into three different routes from Shigatse. One links Xinjiang with Tibet, the second connects Nepal with Tibet and the third leads to Nathula, in the Tibet-Sikkim border areas, passing through Gyantse, Phari and Dromo. The trijunction Nathula area between Tibet, Sikkim and Bhutan is considered a highly strategic spot that is prone to any foreign invasions given the earlier precedence of the Younghusband Expedition (1904) entering Tibet through this pass. Moreover Chinese reluctance to recognise India’s sovereignty over Sikkim until 2003 indicated the strategic values of the region. Furthermore, numerous skirmishes had taken place in the region between the armies of the two countries which culminated into the 1962 Sino-Indian war. These highways in the southern parts of Tibet thus have great potential to transport Chinese army and military supplies to strategic locations in times of emergency. In short, the five highways increased the connectivity of Tibet with China which ensured complete Communist control of Tibet and facilitated the transportation of the PLA throughout Tibet including the border areas. Although the roads remain the primary lines of transportation and communication, the twenty first century saw an important and effective additional means of transportation, i.e., the railway.

#### **3.7.5.2 21<sup>st</sup> Century: An Era of Railways in Tibet**

On 1 July 2006 an unprecedented event occurred in the history of Tibet’s

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828 C. Raja Mohan, ‘Many roads to China’s Tibet Policy’, *Xinhua*, 4 August 2006, published on the official website of the TAR [http://en.tibet.cn/news/tin/t20060804\\_138380.htm](http://en.tibet.cn/news/tin/t20060804_138380.htm).

829 Ibid.

transportation system when the Qinghai-Tibet Railway was launched, materialising the decades long dream of both the Nationalist and the Communist Government of China. President Hu Jintao at the opening ceremony of the Qinghai-Tibet Railway called this achievement as an “historic opportunity for the economic and social development in Qinghai province and Tibet Autonomous Region”.<sup>830</sup> However, few years back in response to a query about the economic feasibility of the Qinghai-Tibet Railway, the former President Jiang Zemin termed the Qinghai-Tibet Railway plan as a “political decision,”<sup>831</sup> that would be carried out despite what economic loss it might incur. This statement reveals the strategic significance of the railway. Therefore, regardless of the variation in the Chinese leaders’ claims the fact remains that the railway is an effective mode of transportation which in times of emergency could be used to deploy arms and armies. Although economic potentials of the railway cannot be ignored, one must not sidetrack the strategic implications, considering the Communist Government’s announcement to extend the railway lines<sup>832</sup> further into the Southern regions of Tibet that lie around the fuzzy undemarcated international borders which is causing much speculation amongst the Indian defence strategists.<sup>833</sup>

The Qinghai-Tibet Railway is the most important strategic development since the 1950s. Dubbed as the highest railway on earth, the 1,956 km long railway (from Xining to Lhasa) scales the Kunlun mountain, enters the Kunlun Mountain Tunnel which is 1,686 metres long, crosses Tangula pass at 5,068 metres<sup>834</sup> and traverses 550 kilometres of frozen earth. At present trains from seven different cities run on the Qinghai-Tibet Railway bringing passengers from Beijing, Chengdu, Lanzhou, Xining,

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830 ‘Hu attends launching ceremony of Qinghai-Tibet Railway’, 1 July 2006, Chinese Government’s Official Web Portal. [http://www.gov.cn/english/special/2006-07/01/content\\_324619.htm](http://www.gov.cn/english/special/2006-07/01/content_324619.htm).

831 See the previous chapter 4, 4. The Qinghai-Tibet Railway Project.

832 ‘Tibet’s new railway to extend to China-Nepal border: official’, 27 August 2006.

[http://english.gov.cn/special/2006-08/27/content\\_370989.htm](http://english.gov.cn/special/2006-08/27/content_370989.htm); ‘China to build three railways in Tibet’, *China Daily*, 29 June 2006, [http://www.chinadaily.com.cn/bizchina/2006-06/29/content\\_629162.htm](http://www.chinadaily.com.cn/bizchina/2006-06/29/content_629162.htm); ‘Tibet’s new railway to extend to Xigaze next year: official’, *Xinhua*, 9 August 2006,

[http://news3.xinhuanet.com/english/2006-08/09/content\\_4941934.htm](http://news3.xinhuanet.com/english/2006-08/09/content_4941934.htm)

833 Rupakjyoti Borah, ‘Qinghai-Tibet Railway: China’s Strategic Masterstroke’, *Institute of Peace and Conflict Studies*, Article no. 2066, 10 July 2006

<http://www.ipcs.org/newKashmirLevel2.jsp?action=showView&kValue=2080&subCatID=null&mod=null>; P. Stobdan, a paper presented at the seminar ‘Tibet: Connectivity, Capabilities and Consequences’, *Institute of Peace and Conflict Studies*, Article no. 2085, 2 August 2006 <http://www.ipcs.org/newKashmirLevel2.jsp?action=showView&kValue=2101&subCatID=null&mod=null>.

834 ‘Facts of Qinghai-Tibet Railway’, *People’s Daily Online*, 3 July 2006. [http://english.people.com.cn/200607/03/eng20060703\\_279474.html](http://english.people.com.cn/200607/03/eng20060703_279474.html).

Chongqing, Shanghai and Guangzhou to Lhasa. The first four trains began their operations on 1 July 2006 while Chongqing-Lhasa train started on the next day on 2 July. Shanghai-Lhasa train and Guangzhou-Lhasa train started later on October 1 and 2 respectively. All these trains run from Lhasa on alternative days except for the Beijing-Lhasa train which runs daily to and from Lhasa.

The Beijing-Lhasa train, numbered T27, starts from Beijing West (*xi*) and passes through the stations of Shijiazhuang, Xi'an, Lanzhou, Xining, Golmud (Gormo/Geermu) and Naqu (Nagqu) before finally arriving in Lhasa. The train takes 47 hours 30 minutes to traverse the 4,064 km long route. Although the return train that leaves Lhasa for Beijing is numbered differently (T28), it passes through the same cities. The second train which is the Chengdu-Lhasa train, numbered T22/23, leaves Chengdu and runs through Guangyuan, Baoji, Lanzhou, Xining, Golmud and Naqu (Nagqu) before reaching its final destination, Lhasa. Taking 48 hours and 10 minutes to cover the distance of 3,360 km the train makes the return journey with a different number, T24/21, and takes half an hour longer. The K917 Lanzhou-Lhasa train moves through Xining, Haergai (Hairag), Keke (Hoh Yanchang), Delingha, Golmud, Tuotuohe, Anduo (Amdo), Naqu (Nagqu), Dangxiong (Damxung) and arrives in Lhasa. The 2,188 km journey is covered in 28 hours and 45 minutes. The return train, numbered K918, takes 30 hours and 13 minutes to reach Lanzhou via the same tracks. The Xining-Lhasa train, numbered N917, is yet another train to roll into Lhasa after passing through various cities of Haergai (Hairag), Keke (Hoh Yanchang), Delingha, Golmud, Tuotuohe, Anduo (Amdo), Anduo (Amdo), Naqu (Nagqu) and Dangxiong (Damxung). The train covers a distance of 1,972 km in 26 hours and 23 minutes. Like the other trains the Xining-Lhasa train, numbered N918, makes the return trip in slightly longer period of time. The Chongqing-Lhasa train, numbered T222/223, makes several stops, at Guang'an, Dazhou, Xi'an, Baoji, Lanzhou, Xining, Golmud and Naqu (Nagqu), on its way to Lhasa. With the travel time of 47 hours and 8 minutes the train covers a distance of 3,654 km on each run. The T224/221 Chongqing-Lhasa train makes the return trip in 48 hours and 50 minutes. The two most recent trains to operate on Qinghai-Tibet Railway are the Shanghai-Lhasa train, numbered T164/165, and the Guangzhou-Lhasa train, numbered T264/265, which had their debut in October. The Shanghai-Lhasa train runs through Wuxi, Nanjing, Bengbu, Zhengzhou, Xi'an, Lanzhou, Xining, Golmud and Naqu (Nagqu), before



screeching to a halt in Lhasa. It travels a distance of 4,373 km in 51 hours. The train numbered T166/163 makes the return journey through the same routes. The latest addition on the Qinghai-Tibet Railway is the Guangzhou-Lhasa train, which traverse through Changsha, Wuchang, Zhengzhou, Xi'an, Lanzhou, Xining, Golmud and Naqu (Nagqu) before reaching Lhasa. Covering a distance of 4,980 km, the train has a longer route than any other train to Lhasa. The T266/263 makes the return journey on the same route in 58 hours. (See Appendix 9 for the schedule of the trains.)

With seven trains running at least twice a week into Lhasa, the connectivity of the Tibetan plateau with other major Chinese cities has increased substantially. Apart from the obvious consequences of exponential growth in the mass movements and tourism, the trains have the capability to transport military logistics and assist in rapid deployment of men and materials. The railway line from Lanzhou to Lhasa will extend the Lanzhou Military Region's reach quite close to the Himalayan borders. Moreover, the thirty regiments of the PLA present in Golmud and the five divisions in Chengdu can be brought to Lhasa in a short time. From the recent Chinese official announcements it is evident that China has plans to extend the railway to Shigatse in the next year. The project to lay a 270 km extension shall be completed in three years.<sup>835</sup> According to another Chinese source Beijing is weighing other plans to extend the railway tracks to Nyingchi in Nyingchi Prefecture and Yadong (near the Nathula pass) in the next ten years.<sup>836</sup> Such an extensive railway network, especially to the Sino-Nepalese, Sino-Bhutanese and Sino-Indian borders,—which the Chinese claim will “step up trade with Nepal and India, and turn Tibet into the frontier for Southern Asian economic communication”<sup>837</sup>—must not be viewed purely from the economic aspects. Without denying the economic windfalls that might entail from the railways, we should be mindful of other ramifications.

Delving into the past histories of the concerned regions would reveal the strategic importance of the planned railway extensions. Nathula pass, for instance, is on the Sikkim-Tibet border and it connects Yadong County with Sikkim. Until recently the

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835 *BBC News*, ‘China to extend Tibetan rail link’, 10 August 2006, <http://news.bbc.co.uk/2/hi/asia-pacific/4778521.stm>

836 Cited in the website of China Radio International (CRI) which is the only overseas broadcaster in the PRC owned and operated by the state. ‘Qinghai-Tibet Railway to Build 3 Branches’, 28 June 2006, <http://english.cri.cn/2946/2006/06/28/191@108015.htm>

837 *Ibid.*

Chinese Government had refused to accept it as a part of India.<sup>838</sup> In the past five decades the region had witnessed border skirmishes between the two nations and a serious confrontation during the 1962 war and in 1967. Another highly contested area is the Indian northeastern state of Arunachal Pradesh (which was previously known as North Eastern Frontier Region). Right after the occupation of Tibet, China claimed that Arunachal Pradesh was a part of China. A decade of talks between India and China failed to resolve the issue which eventually led to the 1962 war in which China captured most of the area now called Arunachal Pradesh. Although the Chinese force withdrew from the captured areas, the Chinese Government did not give up their claims over the region. Due to proximity of these regions to the trunk roads and the planned railway extensions we have to weigh the strategic significance of the new infrastructural developments taking place on the Tibetan plateau.

It is self-evident that neither of the two countries feels secure as long as Tibet remains under the occupation of the other nation with the enemy forces along the borders. Similar observations have been made by many Indian strategists who view the Chinese rule in Tibet as the termination of the buffer zone that was Tibet. Sureshwar D. Sinha, a retired officer of the Indian navy, stated at the International Convention on Tibet and Peace in South Asia that “for thousands of years India and China were at peace and that was because Tibet was a virtual buffer zone. This period of peace was only halted when Tibet was over-run by China and its army came up to the Indian borders”.<sup>839</sup> He further asserted that a fully militarised Tibet with Chinese forces would make Nepal’s attempt to become a peaceful buffer zone meaningless and futile.<sup>840</sup> Not only that the presence of Chinese military forces in Tibet has compelled India to keep up militarily with China at ever increasing defence expenditures. “Both [China and India] are forging new, offensive military strategies underpinned by growing economies and expanding defence budgets and are seeking new allies in Asia,” writes John M. Malik, an expert on South Asian policy.<sup>841</sup> During the International Convention on Tibet and Peace in South Asia, mentioned above, held in

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838 Sikkim officially became the 22<sup>nd</sup> state of Indian Union on May 16, 1975 when 97.5 per cent of Sikkimese voted to join the Indian Union. However, China recognised India’s sovereignty over Sikkim only in October 2003.

839 Jaya Jaitly (ed.), *Tibet and Peace in South Asia: Proceedings of an International Convention held in New Delhi*, New Delhi: National Committee for Tibet & Peace in South Asia, 1991, p. 52.

840 Ibid., p. 53.

841 John Mohan Malik, ‘South Asia in China’s Foreign Relations’, *Pacifica Review*, vol. 13, no. 1, February 2001, p. 79.

New Delhi from 12–14 August 1989 and led by former Defence Minister George Fernandes, a multitude of prominent Indian leaders including former Presidents, ministers, defence personnel, diplomats and members of Indian parliament, gathered to discuss strategic policies concerning Tibet, India and China and formulate recommendations for the Indian government. A similar international convention was held from April 9-11, 1960 when Jayaprakash Narayan convened ‘The Afro-Asian Convention on Tibet and Against Colonialism in Asia and Africa’, in New Delhi. It was attended by many outstanding Indian politicians and participants from nineteen countries. Prior to that ‘All India Tibet Convention’ and ‘Convention on Tibet’ were held in May 1959 in Calcutta and June 1959 in Madras respectively. Another significant series of conferences was the *Himalayan Bachao Sammelans* (Save the Himalayan Conferences) initiated during the early 1960s “to make the Indian people aware of the importance of the Himalayas for their national security”.<sup>842</sup> These events highlight the serious considerations accorded by the Indian leaders and think tanks to the Tibet related issues. Therefore, it is pertinent here to look at the history of the vacillating bilateral relations between China and India that has left the two nations in perpetual state of distrust and mutual suspicions.

### **3.7.5.3 Sino-Indian Relations: Tensions and Bilateral Efforts**

The end of the Great Game between Britain and Russia saw a new political order taking shape in the Asian continent. By 1950 nationalist governments had emerged in the two great and ancient civilisations of India and China. Their sizes, resources and the organisations made them excel amongst their small neighbours who either came into existence as products of decolonisation and thus whose own legitimacy is questionable or were engaged in internal strife. This gave an opportunity for the two Asian giants to forge ahead in all spheres, most importantly in economy, industries and military strength. Yet the same opportunity fostered a strong sense of competition between the two nations which added to the earlier difficult issues, most significantly the Chinese rejection of the British drawn McMahon Line (1914) separating Tibet and India, India’s acceptance of the Dalai Lama and the Tibetan refugees since 1959 and the border disputes stemming from the 1962 Sino-Indian border war which resulted in

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<sup>842</sup> Jaya Jaitley, *Tibet and Peace in South Asia*, 1991, p. 1.

Chinese occupation of 14,500 square miles of Indian territory in Jammu and Kashmir. Since the 1962 war, Sino-Indian relations have been comprised of distrust, hostilities and mutual antagonism. Both countries adopted strategies of containing the other from achieving regional predominance in South Asia by establishing alignments with other Asian countries. China extended its sphere of influence by forming alliances with Nepal, Bangladesh and of course with the well-known enemy of India, Pakistan, which further exacerbated the rivalry. India, on the other hand, responded by forming closer ties with Vietnam and other Indo-China countries. Moreover, each side increased its border troops after the 1962-war. India started a new border police force known as Indo Tibetan Border Police Force (ITBP)<sup>843</sup> on 24 October 1962. On the other side China's troops increased from a mere few thousands before 1962 to 100,000 to 200,000 troops in Tibet.<sup>844</sup> The growing tension in the region eased a little when in 1976 the bilateral relation between the two giants took an upward turn. However, no agreements were reached in resolving the sensitive issues. Other issues also rocked the already vacillating relation between the two Asian giants; strong nuclear arms race between the two countries and China's transfer of nuclear and missile technology to Pakistan.

Several years later in 1979 and again in 1981, exchanges took place at Foreign Ministry level whereby both parties acquiesced to seek solution to the long-standing border disputes which resulted in eight rounds of talks between 1981 and 1987; all without success. While in the midst of this stagnated and stretched-out period of talks, China allegedly intruded Sumdorong Chu Valley in Arunachal Pradesh<sup>845</sup> which

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843 The ITBP has 30,356 personnel in 25 Service Battalions, 4 Specialist Battalions and 3 Training Centers with overall budget of about \$38.4 million for the year 2000-2001. See Joseph A., Mallika, 'Profile of Indian Paramilitary Forces – IV Indo Tibetan Border Police', *Institute of Peace and Conflict Studies* (IPCS), Article no. 688, 31 January 2002, <http://www.ipcs.org/newKashmirLevel2.jsp?action=showView&kValue=193&subCatID=null&mod=null>.

844 John Mohan Malik, 'China-India Relations in the Post Soviet Era: the Continuing Rivalry', *The China Quarterly*, no. 142, June 1995, p. 320. These figures are Western intelligence estimation. However Tibetan source estimates the PLA strength to be 300,000 in 1975. *Tibetan Review* September-October 1975, p. 26.

845 Chinese incursions in Sumdorong Chu in Arunachal Pradesh just before the start of the seventh round of border talks, which complicated the already tensed situation, were understood by some as responses to a small Indian army patrol probing the areas in the previous year. Some experts believe that the probe was to test Chinese preparedness as well as to see the Soviets response as India was to feel the Soviet response because of recent Soviet overtures toward China. Sumit Ganguly, 'The Sino-Indian Border Talks, 1981-1989: A View from New Delhi', *Asian Survey*, vol. XXIX, no. 12, December 1989, p. 1130.

further deteriorated the Sino-Indian relations and escalated tension that eventually led to skirmishes across the border. Streams of accusations and warnings flew from both nations. The seventh round of talk was held as planned in July 1986 but did not result in any substantive agreement on important issues. An important turn of event occurred following the seventh round of talks when the Indian Parliament conferred full statehood to Arunachal Pradesh on December 8-9, 1986, which the Chinese perceived as a possible legal erosion of their claim. However, tension was somewhat defused after the eighth round of talks with both sides agreeing to upgrade the level of talks to a political level. After a period of six months, in December 1988, Indian Prime Minister Rajiv Gandhi made the first official visit by an Indian Prime Minister to China since 1954. Reciprocal visit was made by Premier Li Peng in December 1991. Despite these high level visits and the series of talks from 1981 to 1988 the disputed border issues remained too difficult and complicated to solve.

In May 1992, Indian President Venkataraman visited China, during which the Chinese President Yang Shangkun pointed out the need for cooperation between India and China to avoid being “left behind” and “bullied by others”.<sup>846</sup> These visits contributed to the ongoing gestures of Sino-Indian reconciliation and culminated into the signing of the Agreement on the Maintenance of Peace and Tranquility by Indian Prime Minister Narasimha Rao and Premier Li Peng in September 1993. This was seen as a major breakthrough in Sino-Indian relation.<sup>847</sup> The two nations celebrated the fortieth anniversary of the signing of the Panchsheel Agreement in 1994 and two years later, in November 1996, at the height of Sino-Indian cordiality Jiang Zemin made an official visit to India, thus becoming the first President of the PRC ever to do so, during which the two nations agreed to cut down the number of troops along the Line of Actual Control (LAC), by signing the Agreement on Confidence Building Measures (CBM).<sup>848</sup> Not only that the growing Sino-Indian détente was apparent in

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846 Waheguru Pal Singh Sidhu and Jing-dong Yuan, *China and India: Cooperation or Conflict?*, London: Lynne Rienner Publishers, Inc., 2003, p. 24.

847 Ibid., p. 24.

848 ‘China, India to Seek to Build 21-Century-Oriented Partnership’, *Xinhua News*, 29 November 1996. The historic treaty was signed on 29 November 1996 by Indian External Affairs Minister I. K. Gujral and Chinese Vice-Premier and Foreign Minister Qian Qichen in the presence of Indian Prime Minister Deve Gowda and Jiang Zemin. Indian Prime Minister described the agreement which was built on the foundation of 1993 agreement on maintenance of peace and tranquility on the border as a major step forward. ‘China, India sign no aggression treaty’, <http://www.rediff.com/news/1996/2911chin.htm>.

other fields such as cooperation in the exploration of space, nuclear energy, science and technology and so on, with the two sides signing agreement whereby China agreed to supply uranium fuel for the Tarapur nuclear power plant under International Atomic Energy Agency (IAEA) safeguards.<sup>849</sup> The improved relation also reflected well on the trade between the two nations as it increased manifold, from US\$129 million in 1991 to US \$3.59 billion in 2001, in little more than a decade.<sup>850</sup> However, as J. Mohan Malik writes the closeness of the two Asian powers “should not lead one to assume that all the hurdles in the relationship between India and China have been overcome”<sup>851</sup> since the core border disputes, the original *casus belli*, have not been resolved. The temporary friendship between China and India, developed to create a common front to face the western military dominance, stands on a fragile ground of unresolved border disputes, stiff economic and military competition and nuclear arms race.

In May 1998 the newly elected Bharatiya Janata Party (BJP) government, in a radical “nuclear option” policy change, tested five nuclear devices at Pokhran in the northwestern state of Rajasthan. In the afternoon of the day the nuclear tests were carried out, Indian Prime Minister Atal Behari Vajpayee made a nation-wide statement in which he assured his countrymen that “the Government is deeply concerned...about the nuclear environment in India’s neighbourhood. These tests provide reassurance to the people of India that their national security interests are paramount and will be promoted and protected”.<sup>852</sup> In a letter sent to the US President Bill Clinton, explaining the reasons for carrying out the nuclear tests, Vajpayee explicitly stated the existing Chinese threat against India and the emerging Pakistani power as a risk to Indian security:

I have been deeply concerned at the deteriorating security environment, specially the nuclear environment, faced by India for

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849 Hamish McDonald, ‘Nuclear Pay-Off: China to Supply Enriched Uranium to India’, *Far Eastern Economic Review*, 19 January 1995, Vol. 158, Issue 3, p.22.

850 Waheguru Pal Singh Sidhu and Jing-dong Yuan, *China and India: Cooperation or Conflict?*, p. 150.

851 John Mohan Malik, ‘India’s Relationship with China Post-Soviet Union: Less Cooperation, More Competition’ in *China As a Great Power*, ed. Stuart Harris and Gary Klintworth, New York: St. Martin’s Press, 1995, p. 131.

852 ‘Indian Official Statement on the Nuclear Tests, 11 May 1998’, in *Institute of Peace and Conflict Studies (Databases-Documents)*, <http://www.ipcs.org/newDatabaseIndex3.jsp?check=80&database=1005>.

some years past. We have an overt nuclear weapon state on our borders, [China,] a state which committed armed aggression against India in 1962. Although our relations with that country have improved in the last decade or so, an atmosphere of distrust persists mainly due to the unresolved border problem. To add to the distrust that country has materially helped another neighbour of ours [Pakistan,] to become a covert nuclear weapons state. At the hands of this bitter neighbour we have suffered three aggressions in the last 50 years. And for the last 10 years we have been the victim of unrelenting terrorism and militancy sponsored by it in several parts of our country, especially Punjab and Jammu & Kashmir.<sup>853</sup>

Beijing expressed 'deep concern' over the first batch of nuclear tests conducted on May 11 and stated that such tests were contrary to international trends. But this mild response became charged with strong condemnations and accusations after the famous letter of Vajpayee to the US President that implicitly recognised China as a major threat to Indian security was published by *New York Times*. The Chinese government reacted with strong rhetoric and accusations. A wave of criticisms appeared in the Chinese official newspapers with harsh accusations and strong condemnations. The Ministry of Foreign Affairs released a statement on May 14 calling the tests as acts of "outrageous contempt":

In disregard of the strong opposition of the international community, the Indian government conducted two more nuclear tests on May 13 following the May 11 tests. The Chinese government is deeply shocked by this and hereby expresses its strong condemnation. This act of India's is nothing but outrageous contempt for the common will of the international community for the comprehensive ban on nuclear tests and a hard blow on the international effort to prevent nuclear weapons proliferation. It will entail serious consequences to the peace and stability in South Asia and the world at large.<sup>854</sup>

The year 1998 revealed that the deep rooted mutual suspicions between the two nations had remained unabated despite all the rapprochement attempts, friendly

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853 'Text of the Indian Prime Minister's Letter to the American President, 13 May 1998', in *Institute of Peace and Conflict Studies (Databases-Documents)*,

<http://www.ipcs.org/newDatabaseIndex3.jsp?check=83&database=1005>.

854 'China's Statement on India's Nuclear Tests', *Beijing Review*, 1-7 June 1998, p.7.

overtures and military exchanges. It also proved that years' efforts in building bilateral relation could easily be overshadowed by their mutual distrust whenever radical changes took place especially in the field of national defence. Indian Defence Minister George Fernandes labeled China as India's "potential threat number one"<sup>855</sup> and defended India's nuclear testing as countermeasures against the nuclear power China which had India encircled by states such as Pakistan and Myanmar which are its military alliances. J. Mohan Malik writes that Beijing has pursued "a policy of containment of India and encirclement by proxy" and provided military arsenal to all of India's neighbours. He argues that "on the Indian subcontinent, China has never played a peace-maker's role".<sup>856</sup>

#### **3.7.5.4 Tibet Constant in the Sino-Indian Equation**

No matter how close the relation between India and China become there is one constant discordant element that frustrates them—the Sino-Indian border dispute, which resulted from the Chinese occupation of Tibet. From the Indian point of view, especially the defence planners, every strategic development in Tibet implies China's growing expansionist ambitions, which must be watched closely. The Chinese military presence in Tibet backed by numerous missile bases and convenient modes of transportation viz. the trunk roads and the railway lines, in times of emergency, is viewed as direct threats to India. On the other hand Beijing perceives India's hospitality toward the Tibetans as an implicit support for Tibetan liberation movement and remains apprehensive of India's sheltering of the Dalai Lama. Beijing frequently accuses India of harbouring the Tibetan refugees and allowing the Tibetan Government-in-Exile to function on Indian soil.

Other factors that alarm the Indian defence personnel are the installations of Chinese missile and nuclear bases and airfields in Tibet. However, China has consistently denied the presence of missiles in Tibet. But reports have indicated the presence of nuclear facilities in Tibet as early as 1971.<sup>857</sup> *Tibetan Review*, in March 1974,

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855 'China Bigger Threat to India than Pakistan: Defense Minister', *Agence France Presse*, 3 May 1998.

856 John Mohan Malik, 'India Goes Nuclear: Rationale, Benefits, Costs and Implications', *Contemporary Southeast Asia*, Vol. 20, Number 2, August 1998, p. 195. According to the author 90 per cent of China's arms sales goes to countries that border India.

857 John Ackerly, *Nuclear Tibet: Nuclear Weapons and Nuclear Waste on the Tibetan Plateau*, 1993.



identified Nagchu as the location of the first nuclear base in Tibet.<sup>858</sup> Five months later a report carried by the Russian Novosti Press Agency (NPA) made the same claims adding that China has “more than 200 atom and hydrogen bombs ready for action” which were deployed in Tibet.<sup>859</sup> The presence of radar and tracking stations near the Indian borders were also reported by the same source which was later confirmed by both Indian intelligence and American aerial detection.<sup>860</sup> R. R. Subramanian identified CSS-1 medium-range ballistic missiles (Dong Feng DF-2) and CSS-2 intermediate-range ballistic missiles (DF-3) as the first Chinese missiles that were deployed in the mountainous locations in Tibet.<sup>861</sup> Other reports showed that China had transported CSS-2 ballistic missiles to areas in Nagchu<sup>862</sup> and CSS-3 (DF-4), China’s first Inter-Continental Ballistic Missile, in Tsaidam Basin.<sup>863</sup> According to a US intelligence evaluation, “China has targeted India since the 1970s, and currently has sixty-six nuclear missiles that can reach all of India’s major cities and military areas”.<sup>864</sup> India’s 2000-2001 defence annual report carry similar reports that “every major Indian city is within the reach of Chinese missiles and it is reported that this capacity is being further augmented”<sup>865</sup> by the inclusion of submarine-launched ballistic missiles.

All these information certainly give valid reasons for India to be sceptical about China’s military intentions. However, lack of transparency and the obsessively secretive nature of the Communist regime make it difficult to ascertain the true situation of China’s missile deployment and targeting policy, and therefore to assess the extent of China’s threat to its South Asian neighbours. Nevertheless such reports

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858 *Tibetan Review*, March 1974, pp. 4-5.

859 United News of India (UNI) report datelined Moscow, 25 August 1974; ITAR-TASS, a Soviet News Agency also carried similar reports in 1974, cited in *New York Times*, 29 September 1974.

860 S. K. Ghosh, ‘Nuclear Base in Tibet?’, *Tibetan Review*, September-October, 1975, pp. 23-24.

861 R. R. Subramanian, ‘Missile Equation in South Asia’, *The Pioneer*, 1 October 1997.

862 BBC, Summary of World Broadcasts (SWB), SU/6024/A3/4, 24 January 1979; BBC/SWB/FE6343BII/14, 12 February 1980; cited in Waheguru Pal Singh Sidhu and Jing-dong Yuan, *China and India: Cooperation or Conflict?*, fn 30, p. 70.

863 Richard D. Fisher, ‘China’s Military Missile Modernization and Space Warfare Plans’, a paper presented at the fifth Asian Security Conference on Asian security and China in the period of 2000-2010, organised by the Institute of Defence Studies and Analyses, New Delhi, 27-29 January 2003. Cited in Waheguru Pal Singh Sidhu and Jing-dong Yuan, *China and India: Cooperation or Conflict?*, fn 31, p. 70.

864 Justin Sommers, ‘The India-China Relationship: What the United States Needs to Know’, Asia Society and Woodrow Wilson International Center for Scholars Conference Report, 30 November 2001, available at <http://www.asiasociety.org/publications/indiachina01.html>

865 Waheguru Pal Singh Sidhu and Jing-dong Yuan, *China and India: Cooperation or Conflict?*, p. 52.

do carry weight as they provide a measure of deterrence against attacks on China and alarm the neighbouring countries. With extensive networks of highways and feeder lines, railway lines and airfields, missile and military installations, Tibet would remain a major Chinese military base for years to come and thus would remain a wedge between the two Asian giants.

## PART IV SELF DETERMINATION

### Chapter 8 Self-Determination: Legitimate Right of the Tibetan People

So many, over such a long period of time, have drawn much aspiration and hopes from the right of all peoples to self-determination. Perhaps no contemporary international norm has inspired as much contestations or garnered as much support as the right of national self-determination. The principle of national self-determination became an obvious instrument that was used in the re-division of the disintegrated territories of the Western Empires by the victorious powers.<sup>866</sup> After World War II, at the pinnacle of the implementation of this principle scores of colonial nations achieved independence. Outside the colonial context Finland and Poland seceded from Russia and more recently Bangladesh, Eritrea, Yugoslavia and East Timor won their independence after invoking the right to self-determination. Yet, due to a vague and imprecise meaning of self-determination, there is neither consensus among the legal experts and scholars on international politics on the content and scope of that right, nor consistency in the Charter of the United Nations which while proclaiming the principle of equal rights and self-determination of all peoples at the same time opposes any form of disruption of national unity and the territorial integrity of a member state. Despite such complexity and contradiction, I consider it a right worth pursuing and a path worth embracing for the Tibetans in resolving the Tibet issue. I propose it as a more pragmatic and feasible recourse for the Tibet question while remaining mindful of two essential conditions for the achievement of self-determination: 1) It is “generally resolved on the concrete plane of political struggle and not on the abstract level of relative rights;”<sup>867</sup> and 2) It is dependent “to a great extent on the external support from one or more of the Great Powers”.<sup>868</sup> To demonstrate the feasibility and pragmatism of the right to self-determination in the Tibetan case I shall look into the evolution of the right, the treatment of this right by the two Communist states of Russia and China in their nationality policies, the

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866 Hannum Hurst, *Autonomy, Sovereignty, and Self-Determination: The Accommodation of Conflicting Rights*, p. 28.

867 Richard Falk, ‘The Content of the Right of Self-Determination’, in Robert McCorquodale and Nicholas Orosz (eds.), *Tibet: The Position in International Law*, Stuttgart, Germany: Edition Hansjorg Mayer, 1994, p. 81.

868 Hannum Hurst, *Autonomy, Sovereignty, and Self-Determination: The Accommodation of Conflicting Rights*, p. 28.

support that Tibet case has received from international bodies and world leaders, and the support from dissident Chinese for the right to self-determination of Tibetans.

As the ambiguity of the right to self-determination resides primarily in the vague language of the United Nations Charter and other resolutions when using the terms “nation”, “peoples” and “self-determination,” it is expedient to identify different interpretations of these terms. Therefore, in this chapter I will analyse the principle of national self-determination, its contents and applications in four parts: 1) In its evolutionary period; 2) In the United Nations Charter; 3) In the context of Soviet Russia; and 4) In the context of Communist China. While doing this, I will try to identify the basic elements which constitute the core factors in determining a nation’s right to self-determination. At the same time I will examine various interpretations of the terms “nations” and “peoples,” in their relevant historical settings and will highlight the changes occurred to the meaning of these terms in the progression of the nationality policy [of the Communist nations]. In the end I will discuss whether Tibetans fulfill the requirement of being a nation in order to make claims for the right to self-determination and list the characteristics that make Tibetans a nation.

#### **4.8.1 Evolution of Self-Determination**

Self-determination, which is said to have originated from the German word *Selbstbestimmungsrecht*,<sup>869</sup> like other political ideas, does not have an exact moment of birth but instead has evolved over many centuries. The crystallisation of the principle could be detected from the eighteenth-century Europe’s shocked reactions to the treatments of Corsica by Genoese and Poland by her three great-power neighbours viz. Russia, Prussia and the Habsburg Empire.<sup>870</sup> Corsica, which was then under Genoese rule, had waged guerrilla warfare for its independence for over thirty years. In 1768, as a permanent solution to the problem, Genoese republic sold the island to France for two million livres without the consent of Corsicans. In the case of Poland,

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869 Sarah Wambaugh claims that the phrase “self-determination” came into use during the First World War, as a translation of *Selbstbestimmungsrecht*. In radical German philosophers’ writings this German word had been employed when speaking about nationalities. Moreover, the German historian Heinrich von Treitschke has used it in discussing the Schleswig problem. In 1915, when translating a resolution adopted by the Conference of Socialists from Denmark, Holland, Norway and Sweden at Copenhagen the English expression “self-determination” was used. Sara Wambaugh, *Plebiscite since the World War: With a Collection of Official Documents*, Vol. 1, Washington: Carnegie Endowment for International Peace, 1933, fn. 1, p. 3.

870 Derek Heater, *National Self-Determination*, New York: St Martin’s Press, Inc., 1994, p.1.

the vast and heterogeneous land which attracted the greedy eyes of her neighbours, dismemberment and partitions—in 1772, 1793 and 1795, led to its complete extinction. The shocking reactions displayed by the European public to these incidents indicated a significant change in the attitude of the people.<sup>871</sup> Striking comments and criticisms came from great political thinkers of the time too. Edmund Burke viewed the sale of Corsica as akin to mere property transaction and commented:

Thus was a nation disposed of without its consent, like the trees on an estate.<sup>872</sup>

Similarly, Rousseau wrote:

It is making fools of people to tell them seriously that one can at one's pleasure transfer peoples from master to master, like herds of c[h]attle, without consulting their interests or their wishes.<sup>873</sup>

Diagnosing Poland's troubles, Rousseau, in his *Considerations sur le gouvernement de la Pologne*, attributed the lack of strong cohesive commitment of the Polish people to their fatherland as its main factor. He stressed the vital importance of

national institutions which form the genius, the character, the tastes, and the customs of the people, which make them what they are and not something else, and inspire that warm love of country founded on habits impossible to uproot.<sup>874</sup>

Thus, two great political thinkers of the time articulated the essential concept of national self-determination in their own ways—Burke focusing on the development of 'an organic' political theory as opposed to the individualist approach of the time and Rousseau emphasising the need for *amour de la patrie*, which Cobban translated as a

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871 Alfred Cobban, *Edmund Burke and the Revolt against the Eighteenth Century: A Study of Political and Social Thinking of Burke, Wordsworth, Coleridge and Southey*, New York: The Macmillan Company, 1929, p. 108.

872 Edmund Burke, *Annual Register, Historical Section*, 1768, as quoted in Alfred Cobban, *Edmund Burke and the Revolt against the Eighteenth Century: A Study of Political and Social Thinking of Burke, Wordsworth, Coleridge and Southey*, p.108.

873 C. E. Vaughan, *The Political Writings of Jean Jacques Rousseau*, Vo. I, Cambridge: The University Press, 1915, pp. 340-341.

874 Jean-Jacques Rousseau, *Considerations sur le gouvernement de la Pologne*, as quoted in R. R. Palmer, *The Age of the Democratic Revolution: A Political History of Europe and America, 1760-1800, Vol. I*, Princeton, NJ: Princeton University Press, 1959, pp. 411-12.

concept of nationalism, a trend of ideas that ‘leads straight to the nineteenth-century theory of national self-determination’.<sup>875</sup>

However, the concept of nationalism and democratic ideals which are the principal foundations of the national self-determination<sup>876</sup> manifested itself in more concrete form in 1789 under the impact of the French Revolution. The Revolution, which embodied the notion that people aren’t mere individuals but rather are one whole entity called *nation*, brought supreme authority to the people and made it “the single active principle in the state”.<sup>877</sup> The theory of the Divine Rights of the Monarch received a fatal blow and got supplanted by the theory of the Divine Rights of the People. *The Declaration of the Rights of Man and of the Citizen* (1789), one of the fundamental documents of the Revolution, states:

The principle of all sovereignty resides essentially in the nation.  
Nobody, nor any individual can exercise authority which does not  
expressly emanate from it.<sup>878</sup>

The French Revolution thus inspired the spread of new ideals of democracy and growth of nationalism throughout Europe by “opening a fresh chapter in the history of nation state”<sup>879</sup> and forming a “necessary connection between the state as a political unit and the nation as a cultural one”.<sup>880</sup> Between 1848 and 1870, the principle of nationality reached its pinnacle of success and was expressed in a series of plebiscites. Initially, the French revolutionary government adopted it in good faith for its unification with the papal town of Avignon and the Comtat Venaissin in 1791, Savoy and Nice in 1792-93 but eventually it was applied as a political subterfuge in the annexations of the Belgian Communes and the Rhine Valley in 1793.<sup>881</sup> The plebiscite was also used in the national unification of Italy in which Emilia, Tuscany, Sicily, the Kingdom of Naples, Marches and Umbria were unified with Sardinia in 1860 to form the new Italian kingdom. The same method was employed in the

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875 Alfred Cobban, *Rousseau and the Modern States*, London: Allen & Unwin, 1964, p. 115.

876 Alfred Cobban, *The Nation State and National Self-Determination*, New York: Thomas Y. Crowell Company, 1969, pp. 33-34.

877 Ibid., p. 40.

878 Source: [http://www.constitution.org/fr/fr\\_drm.htm](http://www.constitution.org/fr/fr_drm.htm)

879 Cobban, *The Nation State and National Self-Determination*, 1969, p. 33.

880 Ibid., p. 35.

881 Sarah Wambaugh, *A Monograph of Plebiscites with a Collection of Official Documents*, New York: Oxford University Press, 1920, p. 1; for details see pp. 32- 55.

acquisition of Venetia and Rome in 1866 and 1870 respectively.<sup>882</sup> Similarly, Great Britain applied this method in her cession of the Ionian Islands to Greece in 1863<sup>883</sup> and a year later at the Congress of London the chief powers confirmed plebiscite as the only solution of the Schleswig problem, and was included in the Treaty of Prague between Prussia and Austria in 1866.<sup>884</sup> Furthermore, growth of the principle of self-determination was boosted even more by the growing nationalism which was inspired by increasing assimilationist policies pursued by Ottoman, Austrian, German and Russian empires. The increasing nationalism fueled the concept that every nation must be free and entitled to organise its own state. Consequently, many new nations were formed and existing states were dissolved in those periods. Hence, scholars describe this historical process stimulated by the principle of self-determination as “a history of the making of nations and the breaking of states,”<sup>885</sup> as well as “of the breaking of such nations and the remaking of new states”.<sup>886</sup>

In the second half of the nineteenth century forces of liberal nationalism in Europe weakened and a policy of denationalisation towards minorities developed in many states. During this period imperialism advanced rapidly due to aggressive nationalism which caused the natural recession of the principle of national self-determination. The plebiscite which had been a successful mode of expression of national self-determination suffered a major setback when Prussia annexed Schleswig in 1867, with total disregard to the Treaty of Prague, and Alsace-Lorraine in 1871. The principle of national self-determination was on the decline with attacks coming from the reactionary forces in the Western world who pushed for militant imperialism as well as from the left wings who under the influence of socialist ideology denounced both nationalism and democracy. Sarah Wambaugh writes, “In the economic and strategic rivalries of the late nineteenth century the international plebiscite, with its underlying principle of the right of peoples to determine the sovereignty over the territory in which they live, was as much ignored as during the Napoleonic period and

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882 Ibid., detail accounts on the unification of Italy pp. 58-101 & Official Documents on Italy's unification, pp. 499 – 724.

883 Ibid., detail on the cession of the Ionian Island to Greece, pp. 122-132 & Official Documents on Ionian Island, pp. 838-863.

884 Ibid., details on Schleswig problem on pp. 132-149 & Official Documents on Schleswig, pp. 864-942.

885 Alfred Cobban, *The Nation State and National Self-Determination*, 1969, pp.42-43.

886 Eisuke Suzuki, ‘Self-Determination and World Public Order: Community Response to Territorial Separation’, *Virginia Journal of International Law*, vol. 16, no. 4, 1976, p. 787.

the Congress of Vienna”.<sup>887</sup> After 1870 only two plebiscites were conducted; one in 1877 between Sweden and France in the Island of Saint Bartholomew and the other in 1905 in Norway to decide the issue of separation from Sweden. The British historian William Lecky summarised the point, in 1896, thus, “On the whole, the doctrine of the absolute and indefeasible right of nationalities to determine their own form of government seems to me now less prominent among the political ideas of the world than it was in 1848 and, at the period of the emancipation of Italy”.<sup>888</sup>

The twentieth century began with the great empires of Central and Eastern Europe, primarily Germany, Russia, Austria-Hungary and Turkey, seriously pursuing the expansionist policy which became the greatest barrier to the progress of national self-determination.<sup>889</sup> The whole world was split up between the great imperial powers with Germany, Austria-Hungary and Russia ruling Eastern Europe, Great Britain and Russia controlling majority of the Asian continent, and Africa being ruled by the great European powers. Although the principle of national self-determination was still thought to be valid, the implementation and the universal acceptance of the principle occurred after the end of the World War I in 1918. Prior to the Russian Revolution, the Allies could not formulate a general recognition of the principle of nationality and self-determination as these liberal political ideals would conflict with the Tsarist imperialist who ruled over many subject nationalities. But the overthrow of the Tsarist regime in 1917 minimised the differences when the Russian Provincial Government announced “the establishment of a permanent peace on the basis of the self-determination of peoples”.<sup>890</sup> This turned out to be the decisive factor affecting the Allied policy on the national question which led to the outburst of ‘the dammed-up waters of nationality’ and made self-determination a universally accepted principle after the war.<sup>891</sup>

At the end of 1917 the Allied Powers felt it expedient to provide a coherent set of war aims to settle the aspirations of the freedom-seeking disaffected peoples based on the

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887 Sarah Wambaugh, *Plebiscites Since the World War: With a Collection of Official Documents*, Vol. 1, Washington: Carnegie Endowment for International Peace, 1933, p. 3.

888 Quoted in Cobban, *The Nation State and National Self-Determination*, p. 47.

889 Ibid., p. 48.

890 A. J. Mayer, *Political Origins of the New Diplomacy 1917-1918*, New York: Random House, 1970, p. 75.

891 Alfred Cobban, *The Nation State and National Self-Determination*, p. 50.



principle of national self-determination. The concentrated efforts on producing the war aims resulted in three major announcements from Russia, Britain and America,<sup>892</sup> each containing important references to self-determination, of which the American President Woodrow Wilson's Fourteen Points, declared on 8 January 1918, became a crucial factor in developing the official Allied policy of national self-determination. Although the phrase "self-determination" had not been explicitly mentioned in the Fourteen Points the basic components, the right of nationalities and the interests of populations, of the principle are highlighted. Five weeks later in his address to the Congress given on 11 February 1918, President Wilson made a forthright commitment to the principle and declared that "'self-determination' is not a mere phrase. It is an imperative principle of action, which statesmen will henceforth ignore at their peril".<sup>893</sup> Outlining his Four Principles, a codicil to the Fourteenth Point, President Wilson states:

Second, that peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game... Fourth, that all well defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism.<sup>894</sup>

As the war came to an end, the Allied declarations on the need to employ national self-determination gradually grew in strength and frequency. Through streams of propaganda and also under pressure from President Wilson, the Allies had committed themselves 'up to the hilt' to the principle of self-determination which naturally inspired all nations to expect a peace settlement based on the principle.<sup>895</sup> The principle of national self-determination was used repeatedly, although in limited and unsystematic fashion, in the process of the peace settlements about which I am not going to go into detail here. Yet the application of the principle for the settlement of territorial disputes between nations and within nations was assumed to be applicable

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892 The three announcements were made by Leon Trotsky, the People's Commissar for Foreign Affairs for the Russian government, on 29 December 1917, the British Prime Minister Lloyd George on 5 January 1918 and the American President Woodrow Wilson on 8 January 1918.

893 James Brown Scott, (ed.), *President Wilson's Foreign Policy: Messages, Addresses, Papers*, New York: Oxford University Press, 1918, p. 268.

894 *Ibid.*, pp. 371-372.

895 Alfred Cobban, *The Nation State and National Self-Determination*, p. 56.

only in the European context, more specifically in the territories taken from the defeated powers, and not in the colonial possessions in Africa and Asia.<sup>896</sup> Thus, in the first quarter of the twentieth century, it is reasonable to claim that national self-determination became a well established political principle as well as an oft-time employed political instrument, at first in defining the war aims and then in carrying out the peace treaties.

Although obstacles<sup>897</sup> and complications abound the practical application of the principle of self-determination, especially when it conflicted with the interests of Allied powers, it nevertheless played deciding roles in the resolution of post-war settlements including the provision of secession to Czechs and Slovaks from Austro-Hungarian Empire and independence to Finland and Poland.<sup>898</sup> Furthermore, in formulating compromised solutions to the questions of Saar Basin,<sup>899</sup> the Shantung province,<sup>900</sup> and so on, the Allies considered not only the financial demands of the victor nations, in this case France and Japan respectively, but also were mindful of the national element of the concerned territory.<sup>901</sup> In all of these instances the nationality element was accorded enormous considerations in finding the solutions, just as the Memorandum on Territorial Settlement envisioned as early as autumn 1916 which called on “the principle of nationality to be one of the governing factors in the consideration of territorial arrangements after the war”.<sup>902</sup>

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896 Lung-chu Chen, ‘Self-Determination as a Human Right’, W. M. Reisman & B. H. Weston (ed.), *Toward World Order and Human Dignity*, New York: The Free Press, A Division of Macmillan Publishing Co., Inc., 1976, pp. 214-215.

897 Alfred Cobban has identified three major obstacles: 1) Allies’ lack of intention to apply self-determination at the expense of their own interest, 2) impossibility of altering frontiers or setting up new states, and 3) lack of generally valid definition of the conditions a nation should satisfy before it could legitimately claim a right of self-determination. Alfred Cobban, *The Nation State and National Self-Determination*, p. 68.

898 Alfred Cobban, *The Nation State and National Self-Determination*, p. 188.

899 France demanded Saar basin, a land predominantly populated by Germans, as war reparations. Yet as per national self-determination the Saarlanders should remain in Germany. After many arguments an agreement was reached to create a special administration for the basin and to allow France to work the mines for fifteen years after which a plebiscite would decide the fate of the Saarlanders. Cobban described the dispute as “clash between the principles of economic justice and national self-determination”. Alfred Cobban, *The Nation State and National Self-Determination*, p. 58-59.

900 Shantung was a small Chinese peninsula controlled by the Germans since 1898. Germany had extracted many economic concessions from it until Japanese force captured it during the war. Japanese desire to keep the province to themselves was rejected by Wilson. A compromise reached allowed the Japanese to enjoy the economic privileges but eventually to return the peninsula “in full sovereignty to China”. Alfred Cobban, *The Nation State and National Self-Determination*, p. 59

901 Derek Heater, *National Self-Determination*, pp. 57-64.

902 D. Lloyd George, *The Truth about the Peace Treaties I*, New Haven: Yale University Press, 1939,

Considering all the attention that had been devoted to nationality, either in rhetoric or policy, what is the definition of a nation? How do we distinguish one nation from another? As the receiver of the right to self-determination nation must be something which is definable and identifiable. Yet in the aftermath of World War I, the peace settlements were conducted and the right to self-determination given but without a guiding definition of nation or nationality. Despite continued attempts, no theorist or scholar could structure an objective definition which could unequivocally differentiate one nation from another. Distinguishing characteristics, unique features, or tangible attributes were sought in vain which could accomplish the job of defining a nation. Language, race, territorial contiguity, economy, and religion are but some of the objective properties used to classify a nation. But nation is too fluid a concept to be objectified in such a way. Plethora of exceptions could be found to every proposed test. The English and French writers of the time held the view that nationality was mainly a subjective fact of individual's political or social consciousness, a psychological marker that is national consciousness, whereas the German and Central European thinkers searched primarily for objective tests.<sup>903</sup> Some favoured the subjective feature rather than objective one, arguing that any territorial community whose members are conscious of themselves as members of the community and desire to retain their identity as a community could be considered as a nation. Criticism to this line of thought came from thinkers such as Burke and Charles Maurras who argued that nationality does not happen by the will of people, for people had no choice in their birth. But these critics could not prescribe an objective test that would work. As shall be seen later Joseph Stalin combined both the objective and subjective elements in defining nation.

#### **4.8.2 Self-Determination in the United Nations**

During World War II, the American and the British leaders once again invoked the principle of self-determination as one of the objectives of Anglo-American policy in the Atlantic Charter. Signed by Franklin D. Roosevelt and Winston Churchill in August 1941 the Charter includes the following principles:

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pp. 31-32.  
903 Alfred Cobban, *The Nation and National Self-Determination*, p. 107.

First, their countries seek no aggrandizement, territorial or other;  
Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;  
Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them.<sup>904</sup>

With this declaration the principle of self-determination, unlike during the World War I phase, acquired a more “universal appeal akin to that of human dignity and was correlated with the maintenance of world public order”.<sup>905</sup> Few years later on 26 June 1945, at the United Nations Conference on International Organisation held in San Francisco, the international community formally recognised the principle of self-determination as vital to international security and peace and decided to uphold its application to all peoples, regardless of racial or geographical factors by signing the Charter of the United Nations.<sup>906</sup> Although the Dumbarton Oaks Proposal, the preliminary proposals to the United Nations Charter, contained no mention of self-determination, the actual Charter contained references to it. Article 1(2) of the Charter identified developing “friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples” as one of its purposes. Likewise Article 55 states that the United Nations shall promote a number of goals “with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples..”.<sup>907</sup>

Although the Universal Declaration of Human Rights does not mention the principle of self-determination, both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the two International Covenants on Human Rights, proclaim the right of

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904 Quoted in fn 65, Lung-chu Chen, ‘Self-Determination as a Human Right’, in *Toward World Order & Human Dignity*, pp. 250-251.

905 Ibid., p. 215.

906 Leland M. Goodrich, Edvard Hambro & Anne Patricia Simmons, *Charter of the United Nations: Commentary and Documents*, 3<sup>rd</sup> and rev. ed., New York: Columbia University Press, 1969, pp. 29-31.

907 Ibid., p. 675 & p. 687.

self-determination prominently. Common Article 1(1) and 1(3) of the above two covenants state:<sup>908</sup>

Art. 1(1) All people have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Art. 1(3) The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.<sup>909</sup>

The Sixth General Assembly, by its resolution 545 (VI) of February 5, 1952, decided to include an article on the right of all peoples and nations to self-determination in the Covenants of Human Rights to reaffirm the principles articulated in the Charter of the United Nations. The resolution states:

1. This article shall be drafted in the following terms: “All peoples shall have the right of self-determination,” and shall stipulate that all States, including those having responsibility for the administration of Non-Self-Governing Territories, should promote the realization of that right, in conformity with the Purposes and Principles of the United Nations, and States having responsibility for the administration of Non-Self-Governing Territories should promote the realization of that right in relation to the peoples of such territories.

2. Requests the Commission on Human Rights to prepare recommendations concerning international respect for the self-determination of peoples and to submit these recommendations to the General Assembly at its seventh session.<sup>910</sup>

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908 The two international covenants, ICESCR and ICCPR, have the same Article 1. The covenants have been ratified by at least two-thirds of the member States of the UN.

909 The two covenants can be viewed at the following UN websites,  
<http://www.ohchr.org/english/law/ccpr.htm>, [http://www.unhchr.ch/html/menu3/b/a\\_ceschr.htm](http://www.unhchr.ch/html/menu3/b/a_ceschr.htm).

910 The resolution can be viewed at this website,  
<http://daccessdds.un.org/doc/RESOLUTION/GEN/NR0/068/00/IMG/NR006800.pdf?OpenElement>

As per the above mentioned resolution, the Commission on Human Rights worked on drafting the two International Covenants on Human Rights and completed them at its tenth session, held in the spring of 1954, and presented them to the Economic and Social Council and the General Assembly. The Article 1 of the draft of the two Covenants began with this line, “All people and all nations shall have the right of self-determination,” and went on to propose the promotion of the realisation of that right by all the States in conformity with the provisions of the United Nations Charter. After much deliberation, particularly on Article 1 of the two draft Covenants, which involved considerable debates whether to include the article on self-determination and the meaning of “peoples” and “nations,” the text was redrafted by a Working Party and adopted in 1966 as the first article of the two International Covenants on Human Rights.

Phrases such as “nations” and “all people” mentioned in the Charter, the Covenants and the resolutions have inspired much disagreement among the delegations, scholars and experts on international law since its first inclusion in the United Nations Charter and then in the two Covenants on Human Rights. Lung-chu Chen, a Senior Research Associate at the Yale Law School, in his brilliant study of Self-determination, stated that the first clause in paragraph one of the above article “was meant to be universal”. “Peoples,” he writes, “was meant to refer to all peoples in all countries and territories, whether independent, trust, or non-self-governing. The insertion of “all nations” was intended to emphasize the universal character of the right of self-determination”.<sup>911</sup> While other scholars such as Helen Quane, a senior lecturer at the University of Westminster, interpreted the term used in the United Nations Charter in three different ways “on the basis of the language, context and object and purpose of Article 1(2) and 55,”—referring to the States, to the inhabitants of Non-Self-Governing Territories and to the inhabitants of Trust Territories,<sup>912</sup> indicating a limited applicability of the Charter.

More specific interpretations came from different delegates to the UN. For instance, the Pakistan delegate Mr. Waheed understood peoples as referring to “weak peoples”

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911 Lung-chu Chen, ‘Self-Determination as a Human Right’, in *Toward World Order & Human Dignity*, p. 216.

912 Helen Quane, ‘The United Nations and the Evolving Right to Self-Determination’, *The International and Comparative Law Quarterly*, vol. 47, no. 3, July 1998, p. 541.

whereas Mr. Azkoul of Lebanon applied it to nationals of “countries that had lost their independence as a result of aggression”. Mrs. Roosevelt who led the United States delegation at the UN stated that “the principle of self-determination applied not only to peoples which had not yet attained their independence but also to politically independent States which need protection from external pressure, threats, the use of force, and subversive activities”. The Yugoslavian delegation proposed that “the right to self-determination belonged to both non-self-governing and sovereign peoples as long as their independence could be threatened by other States”. Yet the assertion made by the Polish delegate Mr. Boratynski that “the search for definitions was unnecessary as self-determination should be proclaimed for all” contained the sentiments representative of the Assembly’s view as well as the view of all the minorities everywhere.<sup>913</sup> Similarly, the phrase self-determination itself is cloaked in ambiguity, as the concept changes its meaning depending on circumstances, and has acquired the status of being one of the most contested political concepts of the twentieth century. This ambiguity has resulted in a proposition of a draft resolution in the General Assembly, in 1955, suggesting an establishment of an *ad hoc* commission comprising of five people selected by the Secretary General to conduct a detailed study of the concept of self-determination.<sup>914</sup>

One landmark document that could be considered as a major victory and “the United Nations’ most important contributions” for the principle of self-determination at the United Nations is the Declaration on the Granting of Independence to Colonial Countries and Peoples which was unanimously adopted by the General Assembly Resolution 1514 (XV) in 1960. It is worth quoting the first five proclamations of the Declaration:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.
2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue

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913 All the quotations in this paragraph are from Clyde Eagleton’s ‘Self-Determination in the United Nations’, *The American Journal of International Law*, vol. 47, no. 1, January 1953, pp. 90-91.

914 Hans Kohn, ‘The United Nations and National Self-Determination’, *The Review of Politics*, vol. 20, no. 4, October 1958, p. 536.

their economic, social and cultural development.

3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.<sup>915</sup>

This Declaration, which was applied vigorously during the colonial period, brought “a legal status and meaning”<sup>916</sup> to the principle of self-determination and became an effective catalyst for accelerating the decolonisation process. Over the years the Security Council has reaffirmed the principle on numerous occasions, starting with S. C. Res. 183 of 11 December 1963, S. C. Res. 301 in 1971, S. C. Res. 377 in 1975 and S. C. Res. 384 in 1975.<sup>917</sup>

Similarly, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations is yet another document that has embodied the principle of self-determination. Adopted in 1970 this Declaration once again proclaimed the right to self-determination:

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915 Declaration on the Granting of Independence to Colonial Countries and Peoples, which can be viewed at the UN website, [http://www.unhchr.ch/html/menu3/b/c\\_coloni.htm](http://www.unhchr.ch/html/menu3/b/c_coloni.htm).

916 Helen Quane, ‘The United Nations and the Evolving Right to Self-Determination’, *The International and Comparative Law Quarterly*, vol. 47, no. 3, July 1998, p. 547. Bruno Simma, et al., identified the American Declaration of Independence of 1776 as one of the first signs of legal relevance of self-determination as part of international law. However, they qualified their claim with this, “If one classifies this document as a kind of starting point of the right of self-determination, it becomes clear that at that time the concept involved not the secession of an ethnic group from an established state, but the installation of a free and democratic form of government”. Bruno Simma, Hermann Mosler, Albrecht Randelzhofer, Christian Tomuschat, Rudiger Wolfrum (eds), *The Charter of the United Nations: A Commentary*, New York: Oxford University Press, 1994, p. 58.

917 Cited in James Crawford, *The Creation of States in International Law*, Oxford: Clarendon Press, 1979, p. 89.



By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter. Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle, in order:

- (a) To promote friendly relations and co-operation among States; and
- (b) To bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned;

and bearing in mind that subjection of peoples to alien subjugation, domination and exploitation constitutes a violation of the principle, as well as a denial of fundamental human rights, and is contrary to the Charter. Every State has the duty to promote through joint and separate action universal respect for and observance of human rights and fundamental freedoms in accordance with the Charter. The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitute modes of implementing the right of self-determination by that people.

Every State has the duty to refrain from any forcible action which deprives peoples referred to above in the elaboration of the present principle of their right to self-determination and freedom and independence.<sup>918</sup>

The above quoted resolutions, covenants, Charter and other related documents of the United Nations plainly and unequivocally proclaimed the right of self-determination to all peoples. However, there are no clear answers to some basic questions such as;

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918 Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. The declaration can be viewed at, <http://www.un.org/documents/ga/res/25/ares25.htm>.

Who may make legitimate claim to the right to self-determination and under what circumstances? What would be the status of the principle of self-determination under international law—whether it is just a political principle or has it legal binding? How universal and practicable is the principle of self-determination? Aside from these issues the principle of self-determination faces numerous challenges in the actual application, the most common of which is rooted in the claim of “domestic jurisdiction” that repudiates the United Nations’ competence to put it into practice. Article 2(7) of the United Nations Charter asserts that “nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII”. Yet an interpretation, by the Permanent Court of International Justice, of something which is “solely within the domestic jurisdiction” as “an essentially relative question [that] depends upon the development of international relations”<sup>919</sup> leaves some room for the United Nations to express its “authoritative competence” when dealing with disputes relating to self-determination. The successful resolution of the colonial problems strongly established that authority for the United Nations. However, the United Nations has limited success when dealing with the question of self-determination for people who are outside the “colonies or trust territories” because of exercising of extreme caution. Professor Lung-chu Chen attributed this as reflecting “a sense of realism and caution necessitated by the actual base values at [the United Nations’] disposal” and not a representative of lack of formal authority since the United Nations has dismissed claims to domestic jurisdiction whenever “an important dispute involves genuine demands for self-determination and a significant degree of threat to world peace and security”.<sup>920</sup>

A thorough understanding of the languages used in the United Nations’ documents should allow us to answer some of the above questions. The most ambiguous language in the Charter and the Covenants concern the usage of the terms “people,” “nations” and “self-determination”. Various political scientists, international lawyers

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919 Quoted in Lung-chu Chen’s ‘Self-Determination as a Human Right’, in *Toward World Order and Human Dignity*, p. 220.

920 Ibid., pp. 221-222.

and the UN scholars have attempted to interpret and clarify the meaning of these words, but with not much conclusive results. One common interpretation of the word “peoples” in relation to them having the right to self-determination, as provided by Rupert Emerson,<sup>921</sup> Bruno Simma and many others,<sup>922</sup> concerns the circumstantial meanings which are history-dependent. The peoples involved with the self-determination during the Wilsonian period were the ethnic communities and nations with their special attributes of common language and culture whereas the ones involved during the decolonisation period were the inhabitants of specific territories under foreign rule in which case ethnic identity essentially was irrelevant. To put it more succinctly the two types of peoples are the “minorities living inside a state territory, and colonial peoples living beyond the boundaries of the colonial power.”<sup>923</sup> Another interpretation, which is wholly circumstantial, is the one provided by Helen Quane who understands the term peoples differently in different context. According to her while in the Charter it refers to the inhabitants of States, Non-Self-Governing Territories and Trust Territories and in the Resolution 1514 (XV) it refers only to colonial peoples. She also accepts a more universal definition of people based on the two International Human Rights Covenants and Declaration concerning Friendly Relations and Co-operation among States.<sup>924</sup> Perusing through various literatures it becomes apparent that “all commentators on self-determination have pointed out that neither ‘people’ nor ‘nation’ has any generally accepted meaning which can be applied to the diverse world of political and social reality”.<sup>925</sup>

The legal status of the principle of self-determination in international law is yet another contentious issue. For a person with little knowledge and no experience of international law it is near impossible even to make an educated guess about that status. I, therefore, will merely present the case from various perspectives drawing from experts’ opinions. Professor L. C. Green holds that in positive international law there is still no right of self-determination. “It is insufficient,” he says, “for a non-

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921 Rupert Emerson, ‘Self-Determination’, *The American Journal of International Law*, vol. 65, no. 3, July 1971, p. 561.

922 Bruno Simma, et al., *The Charter of the United Nations: A Commentary*, pp. 63-64.

923 Ibid., p. 64.

924 Helene Quane, ‘The United Nations and the Evolving Right to Self-Determination’, *The International and Comparative Law Quarterly*, vol. 47, no. 3, July 1998, pp. 558-564.

925 Rupert Emerson, ‘Self-Determination’, *The American Journal of International Law*, vol. 65, no. 3, July 1971, p. 462.

binding document to declare that the right is inherent when practice shows that has never been regarded as the case”.<sup>926</sup> Similarly, Leo Gross refutes the concept of legal right of self-determination on the basis that the right to self-determination in the legal sense has not been established anywhere in the Charter. He argues that “subsequent practice as an element of interpretation does not support the proposition that the principle of self-determination is to be interpreted as a right or that the human rights provisions have come to be interpreted as rights with corresponding obligations either generally or specifically with respect to the right of self-determination”.<sup>927</sup>

At the other end of the pole is Dr. Rosalyn Higgins who takes the view that “self-determination has developed into an international legal right”<sup>928</sup> and no longer remained an essentially domestic matter. She contends that considering self-determination as mere principle just because the Assembly resolutions are not binding and that Article 2(7) is an effective defence against its implementation might be academic, but sticking to such insistence “is to fail to give any weight either to the doctrine of a *bona fide*, or to the practice of states as revealed by unanimous and consistent behaviour”.<sup>929</sup> It is obvious that the principle of self-determination has been “affirmed and reaffirmed, and applied and reapplied” in many instruments of the United Nations and that it has exercised deep influences upon the creation and existence of states over many centuries. “In terms of both prescription and application,” writes Professor Chen, “the right of all peoples to ‘freely determine their political status and freely pursue their economic, social and cultural development’ has become a basic principle of international law”.<sup>930</sup> Yet wise are those who take Professor Rupert Emerson’s counsel and exercise caution in drawing positive conclusions about legality of the right to self-determination in view of persisting oppositions.<sup>931</sup>

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926 Quoted in Lung-chu Chen, ‘Self-Determination as a Human Right’, in *Toward World Order and Human Dignity*, p. 224.

927 Leo Gross, ‘The Right of Self-Determination in International Law’, in Martin Kilson (ed.), *New States in the Modern World*, Cambridge, Mass.: Harvard University Press, 1975.

928 Rosalyn Higgins, *The Development of International Law through the Political Organs of the United Nations*, London: Oxford University Press, 1963, p. 103.

929 Ibid., pp. 101-102.

930 Lung-chu Chen, ‘Self-Determination as a Human Right’, in *Toward World Order and Human Dignity*, p. 225.

931 Rupert Emerson, ‘Self-Determination’, *The American Journal of International Law*, vol. 65, no. 3, July 1971, pp. 460-462.

### **4.8.3 Self Determination in the Communist States: Russia and China**

For the Tibetans to seek the right to self-determination, it is very important to understand not only the right of self-determination within the context of international politics but also within the context of Communist politics, in general, and Chinese politics, in particular. Therefore, in this section I will look at the nationality policy of the two Communist states, their understanding and modes of application of the right to self-determination and secession. In both these countries the national question has played a pivotal and central role in their policies since in Russia other nationalities accounted for more than half of her population and in China more than half of its territory is inhabited by non-Han nationalities.

#### **4.8.3.1 Right of Self-Determination in Russia**

Lenin had pondered upon the question of nationality long before the World War. The problem of nationality had captured the interest of this young Socialist who regarded it as his mission to secure and promote the economic and cultural advance of the masses. Lenin understood the question of nationality lacking an independent structure. He viewed it as a subsidiary problem of the social revolution which could not be dealt with in isolation from the issues of the domination of capital, the struggle against imperialism, and the proletarian dictatorship. Within this network of complex, interconnected issues Lenin had to find a solution for the question of nationality, for the wider goal of liberating the oppressed masses of all nations.<sup>932</sup> The right of all peoples to complete self-determination was his answer to the problem of nationality and he introduced it into the Bolshevik political agenda, when in 1903, under his influence the Russian Social-Democratic Labour Party (RSDLP) adopted, 'The right of self-determination for all nations forming part of the state', as an important clause in its programme.<sup>933</sup> When the Bolsheviks gained control over the multinational empire after the collapse of the Tsarist regime, Russia was on the brink of complete disintegration. It was militarily weakened, politically chaotic and socially discontented; a very precarious situation for an empire whose territory spanned more than 22.3 million square kilometres and who harboured one hundred nationalities at

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<sup>932</sup> Hans Kohn, *Nationalism in the Soviet Union*, New York: Columbia University Press, 1933, pp. 42-43.

<sup>933</sup> Joseph Stalin, *Marxism and the National-Colonial Question: a collection of articles and speeches*, New York: International Publishers, 1936, Note 24, p. 294.

the time.<sup>934</sup> Minorities across the long frontier regions of Russia were demanding for more autonomy, separation or independence. Such was the Russia that Lenin and the Bolsheviks inherited, but they were comparably well equipped to deal with the national question owing to the works of Lenin and Stalin—who already had a well developed solution in the form of the national right to self-determination. Self-determination was formally implemented with the establishment of the Russian Socialist Federative Soviet Republic (RSFSR) in 1917 and the establishment of the Union of Soviet Socialist Republics (USSR) in 1922. Since its initial application, self-determination has occupied a permanent place in Soviet policies and remained a core element of Soviet ideology.<sup>935</sup>

Almost all communist theory had their roots deeply embedded in the writings of its founding fathers, Marx and Engels. Communist views on the issues of nationalism and self-determination are no exception. However, initially Marx and Engels paid only scant attention to the political necessity of developing nationhood and the principle of self-determination. On the contrary, Marx was distinctly opposing the national movements in Europe and was hostile and contemptuous towards lesser nationalities of Europe, particularly the Slavs.<sup>936</sup> He viewed the concept nation as a by-product of the victory of economic development and as such any encouragement of nationalism as hindrance to the growth of class consciousness and the development of international socialist movement.<sup>937</sup> Marx retreated slightly from his earlier position on the national question and started viewing national movement as a step towards the proletariat revolution and even admitted that “special regard must be paid to the institutions, customs, and traditions of various lands”.<sup>938</sup>

Lenin, on the other hand, delved deeply into the theory of nationalism and from early on recognised the reality of national feeling and the potential values of such sentiment.<sup>939</sup> Nations are artificial units which came into existence with the rise of

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934 Ilya Levkov, ‘Self-Determination in Soviet Politics’, in Yonah Alexander & Robert A. Friedlander (eds.), *Self-Determination: National, Regional, and Global Dimensions*, Boulder, Colo.: Westview Press, 1980, p.133.

935 Ibid., p.134.

936 Alfred Cobban, *The Nation State and National Self-Determination*, p. 189.

937 Ilya Levkov, ‘Self-Determination in Soviet Politics’, in *Self-Determination: National, Regional, and Global Dimensions*, p. 136.

938 Karl Marx as quoted in Cobban, *The Nation State and National Self-Determination*, p. 189.

939 Robert V. Daniels, *A Documentary History of Communism, Vol. I, Communism in Russia*, New

capitalism and must disappear when capitalism is replaced with Communism; nationalism is a weapon used by capitalists to keep the world proletariat divided and suppressed. Despite such acknowledgment and the conviction that a connection exist between nationalism and the rise of the middle classes to power and nationalism has a bourgeoisie characteristic,<sup>940</sup> Lenin nevertheless supported the nationalism stating that “there was a democratic content in the nationalism of every oppressed nation” which should be supported.<sup>941</sup> More importantly, Lenin viewed the national liberation movement, nationalism and self-determination as “tactical imperative” and implementation of such concepts as opportunities for the proletariat’s seizure of power.<sup>942</sup> There were times when Lenin proclaimed the success of the proletarian revolution as contingent upon the collective uprising of the oppressed nationalities:

The social revolution cannot come except in...an era which links the civil war of the proletariat against the bourgeoisie with a whole series of democratic and revolutionary movements of the less developed, backward and oppressed nationalities, among them also national liberation movements.<sup>943</sup>

With the aim of forging a unity among the proletariat and promoting the interests of their class solidarity, Lenin formulated the principle of self-determination which contains three major elements: “1) no division of state and party organisations along national lines; 2) national self-determination in the form of secession is available but not advisable; and 3) full democratic and linguistic rights should be extended to all nationalities and ethnic groups”.<sup>944</sup> Lenin even went to some length declaring his support of Finland’s and Poland’s independence in a speech given in May 1917, where he said, “If Finland, if Poland, if the Ukraine break away from Russia, there is nothing bad about that. Anyone who says there is, is a chauvinist”.<sup>945</sup> To Lenin national freedom was not an end in itself but a desirable step towards destruction of

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Delhi: D. K. Agencies, 1986, pp. 46-48.

940 Stalin was more explicit when he said that “the fate of the national movement, which is essentially a bourgeois movement, is naturally connected with the fate of the bourgeoisie”. Joseph Stalin, *Marxism and the National and Colonial Question*, p. 19.

941 V. I. Lenin, *Selected Works*, Vol. IV, Cooperative Publishing Soc., 1936, p. 267.

942 Alfred D. Low, *Lenin on the Question of Nationality*, New York: Bookman Associates, 1958, p. 28.

943 Ibid., p. 81.

944 Ilya Levkov, ‘Self-Determination in Soviet Politics’, in *Self-Determination: National, Regional, and Global Dimensions*, pp. 138-139.

945 V. I. Lenin, *Selected Works*, Vol. V, Cooperative Publishing Soc., 1936, p. 310.

feudalism and proletarian revolution.<sup>946</sup> He perceives the right of nations to self-determination as “the right to independence in a political sense, the right to free, political secession from the oppressing nation. Concretely, this political, democratic demand implies complete freedom to carry on agitation in favour of secession, and freedom to settle the question of secession by means of a referendum of the nation that desires to secede”.<sup>947</sup> Yet immediately thereafter, Lenin interprets the demand for political secession as a mere “logical expression of the struggle against national oppression in every form”. Lenin argues that “the more closely the democratic system of state approximates to complete freedom of secession, the rarer and weaker will the striving for secession be in practice; for the advantages of large states, both from the point of view of economic progress and from the point of view of the interests of the masses, are beyond doubt, and these advantages increase with the growth of capitalism”.<sup>948</sup> Lenin employs the rhetoric of secession and promotes the right to self-determination “not for the purpose of introducing separation, but in order to promote and hasten the coalescing and harmonizing of nationalities in a democratic manner”.<sup>949</sup> Hans Kohn writes that Lenin in championing the right of all nations to complete self-determination had no desire to divide “the surface of the earth and the field it offered to the economic and social activity of man into a multiplicity of rigidly isolated states”. Lenin wishes to achieve a rapprochement of the peoples and their fusion into associations and economic units of the maximum dimensions but only on the basis of the freedom and the voluntary adhesion of the various peoples.<sup>950</sup>

Given Lenin’s view on nationalism and the right of national self-determination how is nation defined in Communist ideology? Joseph Stalin, Lenin’s colleague and the leading specialist on the issue of nationalism in the Russian Communist Party, provides an elaborate definition of the term “nation” in his *Marxism and the National and Colonial Questions*. In defining nation Stalin identifies four characteristic features of a nation without which a community cannot form a nation. He writes, “A nation is not a racial or tribal, but a historically constituted community of people”.

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946 Ibid., p. 271.

947 V. I. Lenin, ‘The Socialist Revolution and the Right of Nations to Self-Determination’, *Selected Works*, Vol. XXII, 1936, accessed from <http://www.marxists.org/archive/lenin/works/1916/jan/x01.htm>

948 Ibid.

949 Quoted in George Moseley’s *The Party and the National Question in China*, p. 70.

950 Hans Kohn, *Nationalism in the Soviet Union*, pp. 44-45.



Neither is it “a casual or ephemeral conglomeration, but a stable community of people”.<sup>951</sup> But it is “a historically evolved, stable community of language, territory, economic life, and psychological make-up manifested in a community of culture... It is only when all these characteristics are present that we have a nation”.<sup>952</sup>

Understanding nation thus Stalin proclaims the right of self-determination for a nation. “The right of self-determination means that a nation can arrange its life according to its own will,” writes Stalin. “It has the right to arrange its life on the basis of autonomy. It has the right to enter into federal relations with other nations. It has the right to complete secession. Nations are sovereign and all nations are equal”.<sup>953</sup> However, Stalin immediately qualifies this statement by adding that Social-Democrats will not support every demand of a nation. He plainly puts that the aim of the Social-Democrats in fighting for the right of nations to self-determination is to terminate the policy of national oppression and clear away the grounds of hostility between nations.<sup>954</sup> The Bolsheviks continued to propagate the right to national self-determination however, only as a means to achieve a higher end—to win complete power for the working class. “The right to self-determination cannot and must not serve as an obstacle to the exercise by the working class of its right to dictatorship. The former must give way to the latter,” so writes Stalin.<sup>955</sup>

Another element of the national self-determination that was equally promulgated by the Bolsheviks was the right to secession. Inspired by Report on the National Question, a report delivered at the Seventh All-Russian Conference of the RSDLP on April 29, 1917, in which Stalin announced that the oppressed nations under Russia must be allowed the right to choose to remain as a part of the Russian state or to separate and form an independent state, the All-Russian Party Conference resolved that “the right of all the nations forming part of Russia to freely secede and form independent states shall be recognised. To negate this right, or to fail to take measures guaranteeing its practical realisation, is equivalent to supporting a policy of seizure

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951 Joseph Stalin, *Marxism and the National and Colonial Question*, p. 5.

952 Ibid., pp. 8-9.

953 Joseph Stalin, *Marxism and the National and Colonial Question*, p. 19.

954 Ibid., p. 19.

955 Ibid., p. 168.

and annexation”.<sup>956</sup> In the following year, on July 10, 1918, the RSFSR constitution was ratified in which the right of member-republics to secede was recognised. However, such assertions remained primarily theoretical in form given the more practical considerations of not actually seceding border states for material resources and security reasons. Stalin laid it out thus:

These nationalities mainly inhabit the border regions, which are most vulnerable from the military point of view; and these border regions abound in raw materials, fuel and food stuffs.

Finally, these border regions are less developed than Central Russia (or not developed at all) from the industrial and military point of view, owing to which they are not in a position to defend their independent existence without the military and economic assistance of Central Russia; just as Central Russia is not in a position to preserve its military and economic power without the assistance of the border regions in the way of fuel, raw materials and foodstuffs.<sup>957</sup>

Irrespective of whether the right of self-determination and the right of secession are practicable, the Russian official documents, national reports, government statements and so on contained plethora of references to national self-determination and right of secession.

#### **4.8.3.2 Right of Self-Determination in China**

For China, a multinational state with 56 different nationalities, the national question was extremely and equally important, especially, considering the fact that 64 percent of her territory, in China’s frontier regions, is inhabited by nationalities other than Han Chinese. George Moseley, the sinologist, writes, “When one realizes that more than half the population of Russia at the time of the October Revolution consisted of peoples other than the Great Russians, and that more than half the territory of China “liberated” in 1949-1950 was inhabited by peoples other than Han Chinese, it will be appreciated how immensely important that national question was to the success of both revolutions. The national question has been central, not peripheral, to the

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<sup>956</sup> Ibid., p. 269.

<sup>957</sup> Ibid., pp. 117-118

revolutions in both countries”.<sup>958</sup> However, the promotion of nationalism in China started before the Communist takeover of the country in 1949. Dr. Sun Yat-sen, the founding founder of the Republic of China, strongly promoted a conscious feeling of Han nationalism in his bid to save China and preserve the Chinese race. In *The Three Principles* he drew attention to the insignificance of the number of non-Chinese population, ten million as compared to four hundred million Han Chinese, and instead highlighted the overwhelming majority of “Han or Chinese race with common blood, common language, common religion, and common customs—a single, pure race”.<sup>959</sup> Right after the 1911 Revolution Sun Yat-sen pleaded the nation to rise above narrow ethnic identities to create a new sense of “national people” (*guomin*) and form a great unitary nation-state.<sup>960</sup> Chiang Kai-shek followed in the footsteps of Sun Yat-sen, embraced the same nationality policy and described the non-Han nationalities as “merely branches or clans of the Han people,”<sup>961</sup> as China’s “racial stocks” whose “sum-total...customs constitutes Chinese national culture, and the sum-total...modes of living makes up Chinese national life”.<sup>962</sup> Both Sun Yat-sen and Chiang Kai-shek promulgated a unified single-national China that encompasses all its nationalities including the frontier peoples.

The concept of China as a single-national state with no distinct national minorities, as touted by Sun Yat-sen and Chiang Kai-shek, was rejected by the Communist leadership.<sup>963</sup> The CCP leaders employed Marxist-Leninist principles and Stalin’s definition of nation in understanding China’s numerous nationalities and formulating nationality policies. “The distinctive attributes of a nation, as represented by modern scientific research,” writes Chang Chih-i, the Deputy Director of the United Front Work Department and an author of an important work on the national minority policy of the CCP,<sup>964</sup> “are commonality of language, culture, customs, and historical

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958 George Moseley, *The Party and the National Question in China*, p. 6.

959 Dr. Sun Yat-sen, *The Three Principles of the People*, Taiwan: China Publishing Co., pp. 4-5.

960 Suisheng Zhao, *A Nation-State by Construction: Dynamics of Modern Chinese Nationalism*, Stanford, CA: Stanford University Press, 2004, p. 171.

961 Chang Chih-i, *Chung-kuo ko-ming ti min-tsu wen-t’i ho min-tsu cheng’ts’e chiang-hua (t’i-khang)* [A Discussion of the National Question in the Chinese Revolution and of Actual Nationalities Policy (Draft)], Peking: China Youth Publishing House, 1956, p. 46. Translated and published in George Moseley, *The Party and the National Question in China*. (Hereafter when Chang’s work is quoted or referred I will use the title of George Moseley’s translation of Chang’s book.)

962 Chiang Kai-shek, *China’s Destiny*, New York: The Macmillan Company, 1947, p. 8.

963 George Moseley, *The Party and the National Question in China*, pp. 46-47.

964 Chang Chih-i also served as the Deputy Secretary-General of the Chinese People’s Political

tradition; a certain stage of socioeconomic development; and a certain pattern of territorial distribution”.<sup>965</sup> The Party adopted a remarkable new approach of identifying the national minorities as many distinct entities and not simply a collectivity of non-Han peoples.<sup>966</sup> From early on the CCP leaders had realised the necessity of winning the support of other nationalities to achieve victory against the Nationalist forces. It had consistently recognised the major role the nationalities question would play in the Chinese revolution and accordingly had taken numerous initiatives. The CCP consistently promoted equality of all nationalities, emancipation of not only the Chinese people but also of the “small and weak peoples,” and liberation of nationalities from oppression. The Manifesto of the Second Congress of the Chinese Communist Party, written in July 1922, contains the following proposals for a federated China:

3. The unification of China proper (including Manchuria) into a genuine democratic republic.
4. The achievement of a genuine republic by the liberation of Mongolia, Tibet and Sinkiang.
5. The establishment of a Chinese federated republic by the unification of China proper.<sup>967</sup>

In November 1931, the ‘Resolution of the First All-China Congress of Soviets on the Question of National Minorities in China’, a Draft Constitution adopted by the Congress at Jiangsi, recognises Mongolians, Tibetans, Mohammedans, and so on as national minorities and calls on all the toiling masses of China to fight against the oppression of national minorities and struggle for their emancipation. Furthermore, the Draft Constitution states:

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Consultative Conference (CPPCC). His experiences in the United Front Work Department, which is the most direct link between the CCP leadership and the national minorities, and in the CPPCC, an organisation through which the CCP operates in its united-front work, put him in a unique position to study and write on the question concerning China’s nationality policy. George Moseley writes in his introduction to the translated work of Chang’s that “so far as I am aware, he is the only important Chinese Communist to have attempted a systematic analysis of the CCP’s theoretical approach to the national minority question”.

965 George Moseley, *The Party and the National Question in China*, p. 38.

966 Ibid., p. 18.

967 Conrad Brandt Benjamin Schwartz and J. F. Fairbank, *A Documentary History of Chinese Communism*, Cambridge, MA: Harvard University Press, 1952, p. 64.

In view of this, the First All-China Congress of Soviets of Workers', Peasants', and Soldiers' Deputies declares that the Chinese Soviet Republic categorically and unconditionally recognises the right of national minorities to self-determination. This means that in districts like Mongolia, Tibet, Sinkiang, Yunnan, Kweichow, and others, where the majority of the population belongs to non-Chinese nationalities, the toiling masses of these nationalities shall have the right to determine for themselves whether they wish to leave the Chinese Soviet Republic and create their own independent state, or whether they wish to join the Union of Soviet Republics, or form an autonomous area inside the Chinese Soviet Republic...

Therefore, the First All-China Congress of Soviets of Workers', Peasants', and Soldiers' Deputies resolves:

(a) In the Fundamental Law (Constitution) of the Chinese Soviet Republic it shall be clearly stated that all national minorities within the confines of China shall have the right to national self-determination, including secession from China and the formation of independent states, and that the Chinese Soviet Republic fully and unconditionally recognises the independence of the Outer Mongolian People's Republic.

(b) The toiling masses of all national minorities on the territory of the Chinese Soviet Republic, especially in those areas where the majority of the population is Chinese, shall enjoy absolute equality with the latter, nor shall any of their legal rights or obligations be denied or abridged on account of nationality.<sup>968</sup>

Throughout the long and bitter fight against the Japanese imperialists and Chiang Kai-shek's forces the CCP stuck with their propaganda to win over the minorities. Subsequent to the Communist forces' arrival in the Shensi revolutionary base after the Long March, the Communist Party issued a statement specifically to the people of Inner Mongolia asking them to join forces with the CCP to fight against their common enemies. Another statement issued on December 20, 1935, becomes pertinent to the issue at hand, especially the second and the third points, as it touches on the principle of nationalism and self-determination:

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<sup>968</sup> The complete draft is provided as an appendix in Moseley's book. George Moseley, *The Party and the National Question in China*, Appendix B, pp. 163-167.

(2) We recognise the right of the people of Inner Mongolia to decide all questions pertaining to themselves, for no one has the right to forcefully interfere with the way of life, religious observances, etc., of the Inner Mongolian people. At the same time, the people of Inner Mongolia are free to build a system of their own choosing; they are at liberty to develop their own livelihood, establish their own government, unite in a federation with other peoples, or to make themselves entirely separate.

(3) As for the Han, Hui, Tibet, Manchu, and other peoples found in Inner Mongolia, democracy must be fostered among them in accordance with the principle of national equality and they must be treated as the equals of the Mongols; moreover, they must have freedom to use their own spoken and written languages as well as freedom of religion and residence.<sup>969</sup>

A similar statement was issued to the Hui people on 25 May 1936 in which the Communist party proclaimed its desire to extend the fundamental policy of national self-determination to the Hui people, to establish Hui people's autonomous governments and to develop close relationship between the two great *nations* of the Hui and the Han.<sup>970</sup>

The next phase in the evolution of China's nationality policy is marked by stark absence of the phrases "right to national self-determination" and "right to secession". Once the Chinese Communist Party had established its rule over China it changed the tone of its nationality policy and started emphasising unity, regional autonomy and co-operation. The Common Program, adopted in 1949 by the First Plenary Session of the CPPCC, represents the shift in policy<sup>971</sup> and becomes the primary doctrinal basis of Chinese Communist's nationality policy. The following four articles deal with the issue:

*Article 50:* All nationalities within the boundaries of the People's Republic of China are equal. They shall establish unity and mutual aid among themselves, and shall oppose imperialism and their own

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<sup>969</sup> Ibid., p. 51.

<sup>970</sup> Ibid., p. 52.

<sup>971</sup> Chang Chih-i remarks that this shift in "slogans" started to occur after the Anti-Japanese War and during the period of China's third revolutionary war. George Moseley, *The Party and the National Question in China*, p. 67.

public enemies, so that the People's Republic of China will become a big fraternal and co-operative family composed of all its nationalities. Greater Nationalism and chauvinism shall be opposed. Acts involving discrimination, oppression and splitting of the unity of the various nationalities shall be prohibited.

*Article 51:* Regional autonomy shall be exercised in areas where national minorities are concentrated and various kinds of autonomy organisations of the different nationalities shall be set up according to the size of the respective populations and regions. In places where different nationalities live together and in the autonomous areas of the national minorities, the different nationalities shall each have an appropriate number of representatives in the local organs of political power.

*Article 52:* All national minorities within the boundaries of the People's Republic of China shall have the right to join the People's Liberation Army and to organise local people's public security forces in accordance with the unified military system of the state.

*Article 53:* All national minorities shall have freedom to develop their dialects and languages, to preserve or reform their traditions, customs and religious beliefs. The People's Government shall assist the masses of the people of all national minorities to develop their political, economic, cultural and educational construction work.<sup>972</sup>

The Chinese Constitution retained the spirit of the Common Program regarding the national question, highlighting only the equality and unity of all nationalities and the rights of self-government of national regional autonomy. Article 4 of the Constitution clearly and emphatically reiterates:

All nationalities in the People's Republic of China are equal. The state protects the lawful rights and interests of the minority nationalities and upholds and develops the relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited; any acts that undermine the unity of the nationalities or instigate their secession are prohibited. The state helps the areas inhabited by minority nationalities speed up their economic and cultural development in accordance with the peculiarities and needs of the different minority nationalities. Regional autonomy is

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972 George Moseley, *The Party and the National Question in China*, Appendix C, pp. 168-170.

practised in areas where people of minority nationalities live in compact communities; in these areas organs of self- government are established for the exercise of the right of autonomy. All the national autonomous areas are inalienable parts of the People's Republic of China.<sup>973</sup>

The shift in policy is explained as necessary evolution of the national question as the Chinese revolution evolved. Chang Chih-i writes, "With each nationality in the country having achieved liberation, with the system of nationalities oppression basically abolished, and with the nationalities of our country having already entered the era of nationalities equality, can "national liberation" still be regarded as the task of each national minority? Of course, it cannot... If the people of each national minority seek complete liberation, they do so in order to eliminate their internal systems of oppression and to develop their government, economy, and culture; there is no other question involved".<sup>974</sup> The instrumental ethnic nationalism and ethnic support that the CCP so cleverly manipulated, to bolster their own might in wars against the Japanese imperialism and the Nationalist army, had become a threat to the unitary state, thus prompting a drastic and immediate change in the nationality policy which led to deemphasising of national self-determination.<sup>975</sup> A cable message from Xinhua News Agency headquarters to a branch office in northwest China, sent in October 1949 reveals:

During the period of civil war, for the sake of strengthening the minorities' opposition to KMT reactionary rule, we emphasized self-determination. This was correct at the time. But today the situation has fundamentally changed... For the sake of completing our state's great purpose of unification, for the sake of opposing the conspiracy of imperialists and other running dogs to divide China's national unity, we should not stress this slogan and not allow its usage by imperialists and reactionary elements among various domestic nationalities.<sup>976</sup>

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973 The full text of the Constitution with the latest amendment adopted on 14 March 2004, can be viewed at the Chinese government website: <http://www.npc.gov.cn/zgrdw/english/constitution/constLink.jsp>.

974 George Moseley, *The Party and the National Question in China*, pp. 57-58.

975 Suisheng Zhao, *A Nation-State by Construction: Dynamics of Modern Chinese Nationalism*, Stanford, CA: Stanford University Press, 2004, p. 176.

976 This cable message is quoted in Suisheng Zhao's *A Nation-State by Construction: Dynamics of Modern Chinese Nationalism*, p. 176.



Moreover, the CCP leaders believed that the long revolutionary struggle and the Party's slogans had strengthened the sense of mutual assistance among the nationalities and heightened the internationalist and patriotic consciousness so much so that the original situation of mutual antagonism among the nationalities was overcome and bonds of equality, unity and cooperation were forged. Chang writes further:

Therefore, the establishment of a united, multinational state was the desire of the great bulk of people of all nationalities in our country. It was in accord with this noble wish of the people of all nationalities that the Chinese Communist Party advocated the carrying out of the principle of nationalities equality and national regional autonomy within the unity of the great family of the motherland and discontinued emphasizing the slogan of national self-determination and federalism. Consequently, the question of national division or national separation does not even arise in present-day circumstances: such schemes would inevitably meet with the violent opposition of the broad masses of all nationalities.<sup>977</sup>

It is obvious from Chang Chih-i's statements that, unlike the Russian Bolsheviks who provided independence to Finland and Poland and established federalism in Russia, the Chinese Communist Party had no intention of ever honouring the promise of self-determination, independence and federal system it promised to its minority nationalities. Furthermore, a clear difference lies in resolving the national question between the two; whereas the Soviet Union adopted national self-determination and federalism to resolve the national question, the Chinese Communist Party opted not to employ federalism but instead practised the method of national regional autonomy.<sup>978</sup> According to Chang Chih-i national self-determination could be interpreted in two different ways, "either as freedom to separate or as freedom to unite," depending upon the conditions. Lenin's advocacy of self-determination and separatism when the nations of Eastern Europe were undergoing initial encounter with the oppression from European imperialists was an example of appropriate conditions resulting in calling

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<sup>977</sup> Ibid., pp. 68-69. George Moseley ascribed Mao Tse-tung's disavowing of federalism for China as the real reason for this change in the policy. George Moseley, *The Party and the National Question in China*, fn. 18, p. 68.

<sup>978</sup> Ibid., p. 79.

for self-determination, whereas Stalin's declaration, at the height of struggle between imperialism and the political power of the Soviets in 1920, that "any demand for the separation of frontier territories would be extremely counterrevolutionary at the present stage of the revolution" is a case for the latter meaning.

Using the information, interpretations and explanations set up in the foregoing sections I would like to make a case that Tibetans do fulfill the requirements of being a nation, despite the term's flexible meaning, and as such deserve the right to self-determination, be it to form an autonomous region or an independent state. However, before doing that I would like to venture briefly into the views of the Chinese dissidents and pro-democratic activists on Tibet's future. I consider this important not because there is an influential voice at the present moment but because it could represent Tibet's future in a democratic China.

#### **4.8.4 Chinese Dissident Intellectuals and Pro-Democracy Supporters' Views on Tibet's Self-Determination<sup>979</sup>**

Chinese dissident intellectuals and pro-democracy supporters,<sup>980</sup> although relatively small but growing,<sup>981</sup> have become an ideologically progressive critical generation whose distinct thinkings, particularly on Sino-Tibet relations, warrant proper study from the Tibetans and the Tibet scholars. For two major reasons I propose to make this claim: 1) Understanding the political stand of the Chinese dissident intellectuals and pro-democracy supporters regarding Tibet might become a "significant pointer" on how Tibet would fare in a democratic China; and 2) Contrary to the belief held by

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979 Not much has been written on the Chinese dissident scholars' views on Tibet as it is a relatively new phenomenon that started at the beginning of the 1990s. In this section I have tried to give a comprehensive picture of the dissidents' views, even at the risk of being digressive, because this might become an important chapter in the Sino-Tibet relation. As sources of information I rely on my own interviews with Chinese dissidents and pro-democracy supporters, encounters with Tibetan officials who have wide contact with the overseas Chinese, articles from newspapers and journals and limited written resources.

980 The Chinese dissidents and pro-democracy groups primarily refer to the Chinese supporters of democracy outside of China. This includes Chinese intellectuals and scholars at various universities and academic institutions in the west and the overseas Chinese political activists primarily based in the US. However, I am also going to use some materials of dissidents who still reside in China. The list of interviewees is provided in Appendix VII.

981 Almost all of the Chinese that I talked with unanimously claimed that there is a growing support for the democracy movements in China. In April 2006 I travelled to America to interview Chinese dissidents and pro-democracy supporters. In total I talked with sixteen Chinese dissidents among who were the renowned democratic activists Xu Wenli, Wei Jingsheng, Harry Wu and Chen Kuaide. The primary purpose of the trip was to ascertain the views of the dissidents regarding Tibet and her future.

majority of the ethnic Chinese, the Chinese dissident intellectuals and pro-democracy supporters who are exposed to various undistorted versions of history and the current empirical reality hold radically different views on Tibet's past, present and future, which James D. Seymour describes as "a third perspective".<sup>982</sup> Statements such as "Tibetans have been the victims of Chinese imperialism" and "the Chinese government has instructed historians to falsify Tibet's history in order to validate its domination of Tibet,"<sup>983</sup> issued by the Chinese dissidents, challenge and question the authenticity of the Communists' assertions that Tibet is an integral part of China. For these two reasons I consider a detailed study of political views of the Chinese dissidents important and meaningful. As I go into greater detail a wide spectrum of views existing among the Chinese dissidents, scholars and the pro-democracy supporters shall be presented here based on my personal interviews with some of the world renowned Chinese dissidents as well as written materials authored by them and others.

The importance of understanding the Chinese dissidents' views on Tibet becomes obvious when we look at the efforts made by the Dalai Lama and the Tibetan Government-in-Exile to maintain relations with the Chinese democracy supporters, especially after the initial interests expressed by the Chinese dissidents in setting up contacts with the Tibetans in the early 1990s. This interest could have been inspired by the Dalai Lama's strong and genuine denouncement of the CCP's brutal suppressions of the student demonstrations in 1989,<sup>984</sup> which he issued regardless of the possible severe repercussions to the Sino-Tibetan negotiation efforts. Lodi Gyari, the then minister of the Department of Information and International Relations of the Tibetan Government-in-Exile, recounted the story of how the Dalai Lama was so disturbed by the Tiananmen massacre and felt it his moral obligation to denounce the Chinese Government's actions. Gyari writes:

His Holiness was deeply moved by the Tiananmen tragedy. He was very saddened by what he saw. He then requested me to make a very strong

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982 Cao Changching and James D. Seymour (ed.), *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, New York: M. E. Sharpe, 1998, p. xii.

983 Ding Zilin and Jiang Peikun, 'Tibetans' Rights and Chinese Intellectuals' Responsibility', in *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p. 33.

984 Shen Tong, 'Tibet: An Unavoidable Issue', in Cao Changching and James D. Seymour (ed.), *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p. 42.

condemnation, the strongest condemnation possible of the Chinese Government's brutal treatment of its own people and at the same time to express the strongest support for the younger generation of the Chinese people and for the democracy movement.

I felt certain this statement would definitely place in peril whatever relations we had with Chinese Government. I candidly said that this statement would definitely cause a serious setback to our efforts for a negotiation. It was at that time after many years of failure, that a remote possibility was emerging of our resuming the dialogue. In fact we were supposed to have a preliminary meeting in Hong Kong before the negotiations.

His Holiness thought for a while and I was quite sure my views were being seriously considered by him, and I was confident that he would withdraw his request for such a statement. But then he came back even more forcefully and said, "If I fail to condemn the policies of the Chinese Government today, and if I fail to express my support for the people of China, I will then have no moral right from tomorrow on to ask of the world to support my people for freedom and democracy".<sup>985</sup>

The strong condemnation from the Dalai Lama inspired a sense of affinity between the exile Tibetan community and the Chinese dissident scholars and pro-democracy supporters which brought the Tibetans and the Chinese into direct contact for the first time.<sup>986</sup> Formation of an alliance between the two parties was seen as a win-win strategy by both—the Tibetans saw an excellent opportunity to educate the Chinese masses about the true situation in Tibet and the Chinese saw a chance to forge a stronger common front against the Communist regime in their fight for freedom and democracy. In pursuance of this alliance the Dalai Lama has repeatedly emphasised

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985 *A Report: Third International Conference of Tibet Support Groups, Berlin, Germany 2000*, Dharamsala: DIIR, Tibetan Government-in-Exile and Friedrich Naumann Stiftung, May 2001, New Delhi, p. 61.

986 The initial contact between the Tibetans and overseas Chinese began in early 1990s through Ngabo Jigme who was then working for International Campaign for Tibet. The Tibetan Government-in-Exile set-up a new China Desk in the Department of Information and International Relations in 1994 with the specific aims of establishing communications with the overseas Chinese, holding discussions and meetings with them on Tibet issues and disseminating information on Tibet to the Chinese diasporas. The China Desk is currently headed by Mr. Dawa Tsering. More information can be accessed at:  
<http://www.tibet.net/en/diir/intrd.html>.

the importance of interacting and exchanging ideas with the Chinese people<sup>987</sup> and has himself met with a number of Chinese exiles, prominent among whom are Wang Ruowang, Fang Lizhi, Wei Jingsheng, Harry Wu, Shen Tong, Chen Yizi, Xue Wei and others. Subsequently, the Tibetan Government-in-Exile set up an *ad hoc* China Desk in its Department of Information and International Relations which has launched a bimonthly journal in Chinese, *Xi Zang Tong Xun*, maintained and updated Tibetan official websites in Chinese<sup>988</sup> and translated Tibet related materials into Chinese language. Moreover, over a period of several years the China Desk had regularly invited overseas Chinese to Dharamsala, showing them the Tibetan community and the workings of the Tibetan Government-in-Exile. Meetings with the Tibetan newcomers and audiences with the Dalai Lama were also arranged for the Chinese guests. Such initiatives have generated greater interests in and attracted wider participations from the Chinese on the Tibet issues, thus building a fertile ground for exchange of views. The two publications, *Beijing Spring*<sup>989</sup> and *Xi Zang Tong Xun*, became the main platforms for the Chinese dissident scholars to voice their opinions on Tibet which eventually led to heated yet healthy debates among the Chinese and Tibetan communities. According to Dawa Tsering, who is the Head of the China Desk since its inception, the articles initially drew vociferous oppositions from various overseas Chinese and triggered long and fervent debates in the journals. Consequently, a profusion of exchanges took place which resulted in a noticeable increase in the number of Tibet supporters among the overseas Chinese.<sup>990</sup> Another consequence of the alliance is the establishment of the Sino-Tibet Study Group<sup>991</sup>

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987 A. A. Shiromany, ed., *The Political Philosophy of His Holiness the XIV Dalai Lama: Selected Speeches and Writings*, p. 130.

988 The Chinese language website was launched in August 2000. Thupten Samphel reported in 'Virtual Tibet: The Media', *Tibetan Bulletin*, Vol. 8, Issue 5, 2004, that within a week of its launch, more than 10,000 visitors visited the website, majority of which were from China. The website can be accessed at: [www.xizang-zhiye.org](http://www.xizang-zhiye.org).

989 *Beijing Spring* is a political journal that promotes freedom, democracy and human rights and serves the overall democracy movement in China. Originally published in China during the Democracy Wall movement in 1979 as a democracy journal, it made its debut in New York in May 1993 in its current form. It has ever since grown to become a well-trusted journal and a major platform for the overseas Chinese voices.

990 Personal interview with Dawa Tsering on 22 June 2006, TO/Tape3/DawaTsering, (TO: Tibetan Official).

991 Formed on 10 December 1998, the Sino-Tibet Study Group consists of both Tibetans and Chinese. It was started with the primary goals of analysing the claims made by the two protagonists on Tibet's historical status and current situation, creating solidarity and reducing the feelings of enmity between the Tibetans and the Chinese with the ultimate goal of resolving the Tibet question in justified manner. To that end the members of the study group have organised symposiums and seminars, have actively produced numerous articles and papers which are mostly published in

which aims to create more awareness and clarify the distorted historical facts on Tibet.

Furthermore, Chinese dissidents and Tibetans have sat together at numerous conferences and panel discussions to explore ways to resolve the Tibet issue, restore democracy and freedom in China, and generate mutual understanding and respect between the two peoples. Three major conferences at the international level have been held between the Chinese dissidents and the Tibetans; the first in Washington, D.C. in 1992, the second in Bonn in 1996 and the third in London in 1997.<sup>992</sup> Similarly, three International Sino-Tibet Conferences have been organised primarily under the auspices of Beijing Spring, the most recent of which was held in New York from March 10-12, 2007, in which about two hundred participants from various parts of the world including, Taiwan, Mainland China, the Tibetan exile community, and Chinese dissident groups from the United States took part.<sup>993</sup> The Chinese dissident scholars and pro-democracy supporters have regularly participated in the successions of International Conference of Tibet Support Groups where majority of them have expressed their sympathy for the Tibetan struggle.<sup>994</sup> Other contributions came from independent organisations such as the Foundation for China in the 21<sup>st</sup> Century which has organised several Inter-ethnic Leadership Conferences at which representatives from China's minority nationalities were invited to present their case and explain their issues. This organisation, which is dedicated to build understanding among the various nationalities of China, has successfully organised a series of three conferences entitled Dialogue between the Dalai Lama and Chinese Scholars in which Chinese dissident scholars are brought together—to discuss issues ranging from the current situation in Tibet to its future—with the Dalai Lama. The first Dialogue between the

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*Beijing Spring*. Among the founding members of the group are many of the prominent Chinese dissidents including Wang Ruowang, Harry Wu, Cao Changching, Xue Wei, Zheng Yi, Xiang Xiaoji, David Yu and Yiu Yung-chin. Source: Interview with Dawa Tsering, 22 June 2007 and 'Sino-Tibetan Study Group Set Up by Exiled Chinese and Tibetans', *World Tibet Network News*, 10 December 1998,

[http://www.tibet.ca/en/wtnarchive/1998/12/10\\_7.html](http://www.tibet.ca/en/wtnarchive/1998/12/10_7.html).

992 Dawa Norbu, 'Tibetan Views of Tibetan Autonomy: An Agenda for the 21<sup>st</sup> Century', in *Tibetan Autonomy and Self-Government: Myth or Reality?*, New Delhi: Tibetan Parliamentary and Policy Research Centre (TPPRC), 2000, fn. 4, p. 243.

993 The first Sino-Tibet Conference was held in the US and the second one in London in 1997. The information on the latest conference held in New York can be read in *Beijing Spring*, Issue 167, April 2007.

994 The series of International Conference of Tibet Support Groups were held in Dharamsla in 1990, Bonn 1996, Berlin 2000 and Prague in 2003. There were eight Chinese participants in each of the third and the fourth conferences.

Dalai Lama and Chinese Scholars was held in Boston in 1995, the second in Los Angeles in 1996 and the latest one at Brandeis University in 1998.<sup>995</sup>

#### 4.8.4.1 Dissidents' Views on Tibet's Past

Free access to information and uncensored materials has induced remarkable change in the outlook of the Chinese dissident intellectuals and pro-democracy supporters regarding Tibet. Broadly speaking three different perspectives could be discerned among the Chinese dissidents regarding Tibet's historical status: 1) Those who acknowledge the independent status of Tibet; 2) Those who, for the sake of maintaining China's integrity, neither acknowledge the independent status, nor support the Chinese Government's claims;<sup>996</sup> and 3) Those who adhere to the Beijing's official views. In the first category there are only a handful of dissidents such as Harry Wu, Cao Changching, Xiang Xiaoji, Yiu Yung-chin and Shen Tong who refute the Chinese Government's claim over Tibet as entirely baseless, distorted and misinterpreted. Cao Changching,<sup>997</sup> in the essay 'Independence: the Tibetan People's Right', categorically discredits the usual line of reasoning<sup>998</sup> employed by the Communist Government to claim its sovereignty over Tibet. Contrary to the Chinese Government's interpretation, Cao perceives the marriage of Tang princess Wen Cheng and the Tibetan king Song-tsen Gampo as "a strategic effort to secure peace and cooperation between the two countries" which is devoid of any basis for sovereignty claim by any country. Similarly, he argues that the military occupation of

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995 The Foundation for China in the 21<sup>st</sup> Century was established in 1990 by Yang Jianli and a group of Chinese democracy supporters. Source: <http://www.china21century.org/default.asp?menu=xu>.

996 I call this group "the opaque group" since they are evasive about commenting on Tibet's past status. They uncomfortably and steadfastly avoid making statements about Tibet's past because supporting the claim of Tibet's independent status would go against their hopes of maintaining China's integrity and supporting the claim of Tibet as an integral part of China goes against their intellectual perspicuity. Confirmations for this rational guess came during my interview with the Chinese dissidents and Tibetan political analysers.

997 Cao Changching, a former deputy editor-in-chief of *Shenzhen Youth Journal* (which was shut down by the Chinese authorities in 1987 for publishing numerous articles criticising the CCP leaders) and the founder of *Press Freedom Herald*, the first newspaper run by dissident Chinese journalist, is a research fellow at the East Asian Institute of Columbia University in New York and at the Institute of Culture and Communications of East-West Center in Honolulu.

998 Cao Changching listed six reasons upon which the Chinese Government's claim to sovereignty over Tibet depend: 1) During Tang dynasty, the Tibetan king Song-tsen Gampo married Princess Wen Cheng who was said to have wielded tremendous influence over Tibet; 2) During Yuan period, Tibet was conquered by the Mongol Empire became a part of Yuan rule; 3) During the Qing dynasty, the Chinese army entered Tibet several times to protect it from foreign invasions; 4) The title of "Dalai Lama" was bestowed by the Qing emperor; 5) Chang Kai-shek's government sent a representative to confirm the reincarnation of and host the inauguration of the fourteenth Dalai Lama; and 6) Tibet had no formal diplomatic relations with any other countries.

Tibet by the Mongolian armies in the fourteenth century cannot qualify the Chinese Government to make an historical claim over Tibet. If a claim could be made at all it should be done by the Mongols, not by the Chinese. Another reason that the Communist Government employs to stake their claim over Tibet was the Qing's provision of armed protections to the Tibetan nation. Cao rejects this argument by providing a modern day example of the United States having no claim to the ownership of Kuwait by virtue of sending armed forces for Kuwait's defence in 1991.<sup>999</sup> Harry Wu<sup>1000</sup> too summoned historical facts to argue that Tibet was an independent country before the Chinese invasion. With a concise anecdotal account of his trip to the Thirteenth Laogai camp in Qinghai Province Wu writes:

When I reached the crest of Mt. Riyue, beside a tent for travelers to rest I found a stone tablet on which was engraved a bit of history. China's Princess Wen Cheng's marriage to the Tibetan king, Songsten Gampo, had taken place in the year 641, and Princess Wen Cheng had crossed these mountains on her way to Tibet.

"Upon arriving here, Princess Wen Cheng performed a farewell ceremony that included a bath, a fast, and a kowtow to the East—in farewell to her country and family. After the ceremony, the princess changed to Tibetan dress and went to Tibet escorted by a squad of guards of the Tibetan king".

History, as recorded on the tablet, shows that the marriage of Princess Wen Cheng and the Tibetan king Song-tsen Gampo was not the marriage of an emperor's daughter to a general of the emperor's subordinate province; rather, it was a political marriage between two equal countries.

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999 Personal interview with Cao Changching on 16 April 2006, CD/Tape4/Cao, (the numbering system I use for my tapes include the category (CD: Chinese Dissident), tape number and the name of the interviewee (Cao); Cao Changching, 'Independence: The Tibetan People's Right', in *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, pp. 5-7

1000 Harry Wu, an internationally renowned Chinese dissident, served nineteen years in the Chinese prison camps for criticising the Communist Party and the Soviet Invasion of Hungary in 1956. He left China and went to the United States in 1985. Wu is the founder and the Executive Director of the Laogai Research Foundation, which is now recognised as one of the primary sources of information on China's labour camp, and the Executive Director of China Information Center. Wu has been invited to testify about the human rights conditions in China before the United States Congressional committees, the United Nations, the European Parliaments, as well as the German, Australian and the British Parliaments. <http://laogai.org/news/newsdetail.php?id=2788>.



As I read this tablet, I realized I was standing on the old border which had demarcated two sovereign nations, Tibet and China.<sup>1001</sup>

Like the above two Chinese dissident scholars, Xiang Xiaoji<sup>1002</sup> calls into question the “propaganda...[spread by the Chinese Government] that for a very long time (at least dating back to the Yuan dynasty) Tibet has been a part of China”. Xiang argues that both Tibet and China, which had remained as neighbouring countries until the thirteenth century, came under the control of the Mongols and became its vassals during the Yuan dynasty—a part of history that belonged to the Mongols and not to the Chinese.<sup>1003</sup> On the other hand Song Liming<sup>1004</sup> looks at a more recent history of Tibet, between 1912 and 1951, to suggest that Tibet had at least enjoyed *de facto* independence during that time. Song writes that “before 1951 China had not controlled Tibet’s diplomacy and national defense and therefore had no sovereignty over Tibet”.<sup>1005</sup>

The second “opaque” group comprises of those who neither accept nor refute Tibet’s independent status. Although the number of dissidents who subscribe to this mode of thinking is larger than the first group, it is still in minority compared with those who conclude that Tibet was historically a part of China.<sup>1006</sup> Wei Jingsheng,<sup>1007</sup> probably

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1001 Harry Wu, ‘My View on the Tibet Issue’, in *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p. 92. He also narrated this same story to me during our conversation in his Virginia office. Personal interview with Harry Wu on 18 April 2006, CD/Tape7/Wu.

1002 Xiang Xiaoji participated in the Tiananmen democracy movement as a Coordinator of Beijing College Students Dialogue Delegation. After the Beijing massacre he was able to escape to the United States where he studied law at Law School of Columbia University.

1003 Xiang Xiaoji, ‘Independence and Unification’, in *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p. 100.

1004 Song Liming had taken interest in Tibetan history for a long time. He was once a Ph.D. Candidate at the Department of History at Nanjing University in international relations.

1005 Song Liming, ‘Reflections on the Seventeenth-Point Agreement’, in *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p. 60.

1006 These are very rough approximations of actual percentage of Chinese dissidents who support either independence or non-independence status of Tibet. No one has so far conducted a systematic and comprehensive survey to find out the Chinese dissidents’ support for the Tibet cause. However, I based my claims on these sources: 1) My interview with Chinese dissidents and activists – among the seventeen Chinese that I interviewed three recognised Tibet’s independent status, seven stated that Tibet had always been a part of China, six remained ambivalent and one refused to discuss Tibet’s political issues; 2) My conversations with Tibetan intellectuals and officials confirm my assessment although their focus group predominantly consists of Chinese intellectuals; and 3) The Chinese intellectual writings and statements on the Tibet issue also exhibit this trend.

1007 Wei Jingsheng, also known as Father of Chinese Democracy, spent more than seventeen years in Chinese prison for his involvement in Democracy Wall movement of 1978 and subsequent participations in democracy movements. In his famous essay entitled ‘Fifth Modernization’, which he posted on the Democracy Wall on 5 December 1978, he called for institution of full democracy

one of the most renowned Chinese dissidents and pro-democracy supporters, is highly sympathetic to the Tibetans and critical of the Chinese government's policies and atrocities in Tibet, but his position on the Tibet's past status is ambivalent. In his famous letter to Deng Xiaoping, written from prison in 1992, Wei ambiguously describes Tibet's status as a unique blend of sovereignty and non-independence.

Tibet's special status was that although Tibet did not lose its sovereignty it was not a completely independent country. It was not independent, but it was not a colony either. It was not taking care of all its affairs as an independent sovereign country while at the same it was not ruled as a province of China by the Amban [Ambassador] appointed by the [Qing] Court. The fact is that Tibet had total autonomy over its domestic affairs while being part of the Qing Court with regard to foreign affairs. It is because of such arrangements that many Chinese and foreigners who don't know all the facts consider Tibet a province of the Chinese Empire. Hardly any similar cases exist which demonstrate a unity of this kind.<sup>1008</sup>

Nevertheless, there are Tibetans who argue that Wei Jingsheng recognises Tibet's independent status based on his refutations of the historical arguments put forward by the Chinese Government.<sup>1009</sup> However, his continuous support and frequent participation, particularly his constant calls for the Tibetan people's right to self-determination, is well known among the Tibetans and the overseas Chinese. Contrarily, Hu Ping, the editor of *Beijing Spring*, feels it unnecessary to digress into the historical aspects of the two nations and regards the future as more urgent and important. Similar sentiments have been expressed by other dissidents such as Ding Zilin and Jiang Peikun<sup>1010</sup> who refuse to comment on the historical aspects of the two

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in China. After his release in 1993, he was deported to the United States where he is currently living. He set up Wei Jingsheng Foundation and continues to work for democracy and freedom in China. For his efforts he was awarded the Sakharov Prize for Freedom of Thought, National Endowment for Democracy Award, and has been nominated for Nobel Peace Prize for seven times since 1993.

1008 Wei Jingsheng, 'Letters from Prison: To Deng Xiaoping on the Tibetan Question', from his book edited and translated by Kristina M. Torgeson (ed.), *The Courage to Stand Alone: Letters from Prison and Other Writings*, New York: Viking, 1997, pp. 180-191.

1009 Dawa Tsering maintains emphatically that Wei Jingsheng accepts Tibet as an historically independent nation even though he do not use the term independence explicitly. He says, "In sum, he wrote that Tibet was an independent nation. He had not used the word "independence" but he had written that Tibet and China were equal and associated nations which meant they were two different entities". Personal interview with Dawa Tsering, TO/Tape3/DawaTsering.

1010 Ding Zilin, an assistant professor of philosophy at People's University of China, Beijing, and her husband Jiang Peikun, also a professor at People's University of China, lost their only son, Jiang

nations. They write, “It is not for us to decide whether Tibet is a part of the Chinese territory; this can be determined only by history. The problem is that the Chinese government has instructed historians to falsify Tibet’s history in order to validate its domination of Tibet and thus to instil in the minds of the Chinese people the idea of China’s sovereignty over Tibet. The Chinese government has used this method to repress dissenting views on the sovereignty of Tibet and to deprive the Tibetans of their right to determine their own socio-political system”.<sup>1011</sup> Thus, to this group belong those dissident scholars who despite being well-versed in the historical status of Tibet affect a nonchalant naivete.<sup>1012</sup>

Finally, the third group consists of the Chinese dissidents who hold the view that Tibet had always been an integral part of China. Among those whom I interviewed in April of 2006, the political activists, specifically the China Democracy Party (CDP)<sup>1013</sup> executive members, strongly and unanimously claimed that Tibet was, is and will always be a part of China. Despite their ardent opposition to the Chinese Communist Party’s policy, the members of the CDP seem to follow exactly the Party line in describing Tibet’s historical status. They provided me with the same communist logic that is contained in the *White Paper* released by the Chinese Government to claim China’s sovereignty over Tibet.<sup>1014</sup> Other vocal proponents in this group are Xu Mingxu, “a so called Tibet scholar from China,” Wangxi, another die-hard supporter of the Chinese national unification, and so on. However, according

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Jielian, during the June 4 Tiananmen massacre. After the incident Ding Zilin met other bereaved mothers and formed a network which is now known as ‘Tiananmen Mothers’.

1011 Ding Zilin and Jiang Peikun, ‘Tibetan’s Rights and Chinese Intellectuals’ Responsibility’, in *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p. 33.

1012 Personal interview with Dawa Tsering on 22 June 2006, TO/Tape3/DawaTsering.

1013 In America there are at least two political organisations with the name of China Democracy Party (CDP); one whose headquarters is in Empire State Building in Manhattan, New York and the other whose headquarters is in Flushing, New York. My interview was with Xie Wanjun, Yanqin Bao, Shan Wang, Ze Gua, Weixing Lu, Ming Lu and Baoxiang Xie of the CDP that is located in Empire State Building and henceforth the CDP refers to this organisation except indicated otherwise. Both of the CDPs claim ties with the original China Democracy Party that first emerged in China in 1998. Although varied opinions exist among the overseas Chinese about the reputation of the CDP housed in Empire State Building, I interviewed the executive members of the party in order to gather views from all quarters of the Chinese dissident groups and understand the range of dissident views on Tibet. The website for the CDP based in Empire State Building is: <http://www.cdpweb.org/english/index.htm>. The organisation website for the CDP based in Flushing is: <http://www.cdp2006.org/>.

1014 Personal interview with the China Democracy Party executive members on 2 May 2006, at their office in Empire State Building, CD/Tape9/CDP.

to Dawa Tsering,<sup>1015</sup> an increasing number of overseas Chinese have begun to question the authenticity of the Chinese Government's propaganda materials on Tibet. Dawa Tsering recounted his own experience thus:

When I first attended the meetings I constantly had arguments with the Chinese. Similarly, I had lots of arguments with Xu Mingxu which we would continue [even after the meetings] by exchanging letters. During the initial stage, many Chinese were on Xu Mingxu's side. However, gradually when things became clearer through consistent discussions and debates, more and more people started to switch side and one time Xu Mingxu was left to defend himself without support. One time, I did not get a chance to counter argue Xu Mingxu's statement but instead the Chinese themselves rose up together to argue against him. And later, articles written by him were rejected by others to publish in their journals or magazines. The support from the Chinese intellectuals has increased a lot. Those in abroad who are interested to know [the Tibet situation], know it all by now.<sup>1016</sup>

#### **4.8.4.2 Dissidents' Views on Tibet's Future**

The Chinese dissident intellectual and pro-democracy supporters unanimously agree that the Communist Government has, over the past five decades, subjected the Tibetans to violent suppressions and horrendous brutalities. The speech given by Xue Wei, the manager and editor of *Beijing Spring*, at the Second International Conference of Tibet Support Groups, in Bonn, Germany, expresses the common sentiment felt by the overseas Chinese dissidents toward the Tibetan people.

On the front line of resistance against Communist China's totalitarian rule, we and the Tibetan people are fighting allies. The Communists not only oppress the Tibetan people, they also oppress the Han people and other minorities. The sufferings of the Tibetans are also the sufferings of other nationalities inside China, though at the present stage, the pain of the Tibetans is more severe than others. We fully understand the

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1015 Dawa Tsering is the chair of the China Desk in the Department of Information and International Relations, Dharamsala. Before joining the China Desk he worked for International Campaign for Tibet (ICT), Washington, D.C. While working at ICT he got numerous opportunities to meet with Chinese dissidents and later he was involved in the establishment of Sino-Tibet Study Group with some Chinese friends. He has attended many conferences on Sino-Tibet relations and presented numerous papers.

1016 Personal interview with Dawa Tsering, TO/Tape3/DawaTsering.

sentiment and demands of the Tibetan people. We eagerly await the day when the Han and Tibetan peoples will be able to live in harmony like friends and brothers and sisters.

For the overseas democracy dissidents and Chinese students, the overwhelming majority regards the suffering and human rights struggle of the Tibetan people with sympathy and support. Although some are sceptical or hold different degrees of opposition, this does not obscure our general support for the Tibetans' struggle against tyranny.<sup>1017</sup>

However, regarding Tibet's future, especially on the two options of independence and autonomy, the dissidents and the pro-democracy activists choose autonomy status for Tibet. Except for a smattering of dissident intellectuals like Cao Changching, Harry Wu, Wang Ruowang, Wang Xizhe and Liu Xiaobo,<sup>1018</sup> everyone else—be it the members of the CDP<sup>1019</sup> or other intellectuals—prefer unification over secession and autonomy over independence, which they consider a highly inappropriate solution.<sup>1020</sup> This trend of thought could have been the result of several factors: 1) unification concept that has taken roots in the minds of the Chinese for over thousands of years;<sup>1021</sup> 2) the widespread concept of a “Great China,”<sup>1022</sup> and 3) a deep sense of

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1017 Xue Wei, 'Tibet and China: Brothers or Neighbours', *Tibetan Bulletin*, September – October 1996.

1018 On October 1, 1996, Wang Xizhe and Liu Xiaobo urged the Beijing Government to begin dialogue with the Dalai Lama and give independence to Tibet, in a jointly issued “Double Tenth Declaration”. *AFP*, ‘Chinese Dissidents Calls on Beijing to Open Talks with Dalai Lama’, 4 February 1998, [http://www.tibet.ca/en/wtnarchive/1998/2/4\\_1.html](http://www.tibet.ca/en/wtnarchive/1998/2/4_1.html); Glenn Chapman, ‘Top dissident Wang Xizhe speaks out against China’, *AFP*, 21 October 1996, [http://www.tibet.ca/en/wtnarchive/1996/10/22\\_3.html](http://www.tibet.ca/en/wtnarchive/1996/10/22_3.html).

1019 As mentioned earlier, although the CDP's view on Tibet's past differ radically from the other intellectuals, their take on Tibet's future resemble other intellectuals' views. Personal interview with the CDP members; CD/Tape9/CDP.

1020 In October 1992, an unprecedented conference on Sino-Tibetan relations and its future prospect, now commonly known as the Potomac Conference, was organised by the Tibet Forum and Center for Modern China, Princeton University, which brought together Tibetan and Chinese scholars and experts to discuss the relations between Tibetans and the Chinese and to improve mutual respect between the two peoples. The Chinese views articulated at the conference although apologetic for the ruthless treatments of the Tibetans by the Chinese Communist Party since 1950, nevertheless varied on the issue of independence of Tibet. A majority of the Chinese participants considered independence for Tibet to be inappropriate. A more complete viewpoints of the Chinese scholars and participants can be viewed at <http://www.columbia.edu/cu/lweb/indiv/area/tibet-potomac/>.

1021 Wang Lixiong, ‘Indirect Representation Versus a Democratic System: Relative Advantages for Resolving the Tibet Question’, in Barry Sautman and June Teufel Dreyer (ed.), *Contemporary Tibet: Politics, Development, and Society in a Disputed Region*, New York: M.E. Sharpe, 2006, p. 108.

1022 Wang Ruowang, ‘The Status of Tibet: Recalling a Visit to Lhasa’, in Cao Changching (ed.) and James D. Seymour (ed.), *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p.

Han nationalism.<sup>1023</sup> “Not only do conservative Chinese cling to anachronistic imperialistic notions,” writes James Seymour, “but even the democracy movement is comprised largely of self-styled patriots who have no desire to see the diminution of the territory of the PRC”.<sup>1024</sup> They fear that a separate and independent Tibet would adversely affect China’s security and encourage the Mongol and the Uighur nationalists to seek their independence thus creating a “domino effect”<sup>1025</sup> that could lead to complete disintegration of China. This commonly held trepidation, which pervades among China’s domicile as well as the exiled Chinese, is expressed explicitly by the Chinese writer Wang Lixiong in his article ‘The People’s Republic of China’s 21<sup>st</sup> century Underbelly’. He writes:

Once Tibet became independent and was forced to ally itself with India, India would advance thousands of kilometres without firing a shot, with its armed forces marching into central China, and its missiles being able to hit all of Chinese from the Tibetan Plateau. Without the natural Tibetan barrier and the time it would take to cross the Tibetan Plateau, war would be fought in central China, at a certainly high cost to life and property. So it is obvious that for China to lose such a vast barrier, which would expose our fatal “underbelly,” would be unacceptable from a national security perspective. Preparing for a possible future conflict with India is the bottom line as to why the Central Government cannot allow Tibetan independence. The Central Government cannot retreat or compromise on the demands for Tibetan independence or covert independence.

There is also another related factor that we need to be clear about, or that any special disposition of the Tibet matter could have a chain reaction among other minority ethnic groups. While the Han Chinese make up 93 percent of the Chinese population, minority ethnic regions make up 60 percent of Chinese territory, 89.6 percent of our grasslands, 37 percent of our forests, 49.7 percent of our timber resources, and over 50 percent of our water conservancy resources. So the minority ethnic group matter

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1023 James D. Seymour, ‘Introduction’, in Cao Changching and James D. Seymour (ed.), *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p. xi.

1024 Ibid., p. xxiii.

1025 Wei Jingsheng, *The Courage to Stand Alone: Letters From Prison and Other Writings*, pp. 180-191.

must be one of overall consideration, which is dealt with very carefully.<sup>1026</sup>

The concise security analyses by Wang Lixiong are but a reflection of a general trend of thought that pervades the Han Chinese mentality and obviates Tibet's independence as an option. Secession of any province from the mainland China conflicts with the Han nationalism which only allows a unitary "Great China" that must remain unified and strong. Hence, just like independence is totally unacceptable to the Communists, it is undesirable and impracticable to the non-Communist Chinese. "National unification may be the only issue on which it is difficult for Chinese democracy activists to speak or act contrary to the Chinese government," writes Xiang Xiaoji.<sup>1027</sup> However, for two reasons, this should not spell doom to the Tibetans who seek independence: 1) The dissidents' views might not eventuate in the near future and even if they did, in a democratic setting, there should not be any deterioration in the situation compared to the present state; and 2) The dissidents support a varying degree of autonomy that includes a confederal status which could eventually lead to a secession. The majority of the Chinese dissidents are constrained by what I call 'deep psychological affinity to the concept of unification' which prevents them from venturing any further than autonomy for political solutions to nationality problems. Thus, to the majority of liberal minded Chinese dissidents autonomy would serve to fulfill their vision of unitary China and offer a reasonable solution to ethnic disputes including Tibet's lingering problem.

What then is understood by the term "autonomy" in this context and by whom? To what degree can it be extended and can it provide solution to the Tibet question? Briefly speaking autonomy is a term which is loaded with various shades of meaning. The Chinese Communist Government uses several models of autonomy in dealing with its multi-ethnic autonomous regions depending largely on the power relations it has with its regions.<sup>1028</sup> There is a Hong Kong model of autonomy, "characterised by

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1026 Wang Lixiong, 'The People's Republic of China's 21<sup>st</sup> Century Underbelly'. This article was first published in *Beijing Zhanlue Yu Guanli* in Chinese on 2 January 1999. The English translation was published in the *BBC Summary of World Broadcasts*. Accessed at <http://www.columbia.edu/itc/ealac/barnett/pdfs/link14-wang-lixiong.pdf>.

1027 Xiang Xiaoji, 'Independence and Unification', in Cao Changching and James D. Seymour (ed.), *Tibet Through Dissident Chinese Eyes: Essays on Self-Determination*, p. 97.

1028 He Baogang, 'The Dalai Lama's Autonomy Proposal: A One-Sided Wish?', in Barry Sautman

judicial independence, an internal border and representatives in international organisations with regard to economic and cultural matters,”<sup>1029</sup> which has been offered to Taiwan<sup>1030</sup> but not to Tibet. National Regional Ethnic Autonomous status given to Tibet has higher degree of autonomy than that enjoyed by Xinjiang and Inner Mongolia. Basically, Beijing’s autonomy is highly restricted and centralised structure that is “characterised by a combination of political “self-rule,” economic integration, cultural exchange, and ethnic intermingling”.<sup>1031</sup> On the other hand “genuine autonomy” that the Dalai Lama proposes would allow Tibet to be governed by its own constitution with popularly elected chief executive, a bicameral legislature, and an independent legal system, while the foreign and military affairs would remain under the responsibility of the Central Government.<sup>1032</sup>

A group of Chinese intellectuals from the PRC, Hong Kong and Taiwan formulated a third type of autonomy, which Dawa Norbu termed “greater autonomy,” in a celebrated draft proposal of the Constitution of Federal Republic of China.<sup>1033</sup> Released on 31 January 1994, the draft proposal outlines a new China that would have ‘a federal system with confederal characteristics,’ with confederacy referring to the allocation of special Autonomous Statehood to Taiwan, Inner Mongolia, Tibet, Xinjiang, Ningxia and Guangxi (Article 28). Yan Jiaqi describes the confederation characteristics of the new Federal China as consisting of ‘loose republics’ consisting of the above mentioned provinces and the ‘close republics’ consisting of the rest of China.<sup>1034</sup> The extension of autonomy is greater with the draft allowing each Autonomous State to make its own constitution (Article 30) and have the authority to exercise ‘any power that is not constitutionally vested in the Federal Government’ (Article 29) and the authority to ‘make its own entry and exit regulations as warranted by local circumstances’ (Article 10). Article 33 further provides the Autonomous

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and June Teufel Dreyer (ed.), *Contemporary Tibet: Politics, Development, and Society in a Disputed Region*, p. 72.

1029 Ibid., p. 72.

1030 In addition to all the characteristics mentioned above the autonomy offered to Taiwan also include the right to maintain its armed forces.

1031 Ibid., p. 69.

1032 ‘Dalai Lama’s Strasbourg Proposal, 15 June 1988,’ *Dharamsala and Beijing: Initiatives and Correspondence 1981-1993*, pp. 45-49.

1033 ‘Federal System: From Fantasy to Blueprint-Birth of a Proposed Draft Constitution for a Federal China’, February 1994, USA. <http://www.geocities.com/capitolhill/7288/fedconn.htm>.

1034 Yan Jiaqi, ‘Toward the Federal Republic of China’, *China Now*, no. 143, reproduced at <http://www.tibet.com/China/fedchina.html>.



State with the right to 'sign non-military agreements with foreign countries, and the right to make its own decisions about joining international organisations and setting up representative offices in foreign countries'. Similarly, the small circle of dissidents and activists that I interviewed agreed with the core theme of the proposal and viewed the Dalai Lama's "genuine autonomy" proposal as a pragmatic, feasible and acceptable solution. However, when asked about the Dalai Lama's call for a unified Tibet, that will include some areas in Qinghai, Gansu, Sichuan and Yunnan, none of them could offer a satisfactory and systematic method to fulfil this requirement except for the CDP members who straightforwardly rejected the notion of a unified Tibet as infeasible. Nevertheless, a number of them proposed to employ self-determination as a means to resolve this highly sensitive issue. The draft proposal also fails to address the issue of reunification of Tibet and does not specify which areas Tibet would cover in the new Federal China. The draft does not explicitly state whether 'Tibet' refers to Tibet Autonomous Region created by the CCP or to Greater Tibet as envisioned by the Dalai Lama which also includes Kham and Amdo.

Be that as it may, as seekers of democracy and freedom the pioneering authors of the draft and other Chinese dissident scholars feel ideologically bound to support the principles of democracy and more pertinently the practice of plebiscite in determining the fate of the Tibetan people. "Based on the principle of democracy, we believe the Tibetan people have the right to decide their own fate and way of life. The right to self-determination is affirmed; other nationalities cannot decide for them," writes Xiang Xiaoji. One after the other, Wei Jingsheng, Cao Changching, Chen Kuaide, Harry Wu and Hu Ping expressed that they feel strong moral obligations to support the Tibetan peoples' right to self-determination in determining the future status of Tibet. On the other hand Xu Wenli, Chen Pokong and Lian Shengde asserted that while cherishing the right to self-determination, they feel that its scope of application should be limited only to determine the issue of reunification of the three provinces of Tibet, viz U-Tsang, Kham and Amdo and should not be extended to the question of the future status. Irrespective of what ultimate goal they choose to see for the Tibetans, these more liberal dissidents feel that it is Tibetan peoples' democratic right to decide not only their economic, cultural, religious lifestyle but also their political status. Wei Jingsheng puts it in nice theoretical form from prison:

The will and aspiration of the people are the main constituting factor of sovereignty. Part of sovereignty would be lost with the loss of the aspiration for self-rule of a certain portion of the people. Other conditions as defined by the so-called “law of sovereignty” must be based on people’s aspiration for self-rule and national self-determination. Without this most important basis, other forms of sovereignty will eventually lose validity.<sup>1035</sup>

Although the term self-determination was not used in the draft proposal, it does make special provisions for Tibet, by respecting the *status quo* and respecting Tibet’s history,<sup>1036</sup> and suggested the use of referendum to decide the fate of Tibet. Article 39 of the draft proposal recognises Tibet’s unique status and accordingly addresses the issues exclusively relevant to Tibet:

The Autonomous State of Tibet is a national nature conservation area, where the testing of nuclear, chemical and biological weapons and the storage of nuclear wastes are prohibited.

The Autonomous State of Tibet is financially independent and not required to pay federal tax.

The Autonomous State of Tibet has the right to set up its state court of final appeal.

The position of the Autonomous State of Tibet will be reviewed 25 years after this Constitution is promulgated. The review will be in the form of a referendum by the citizens in the state and not subject to Article 36 of this Constitution.<sup>1037</sup>

The last clause of this article contains that most significant concession given to the Tibetan people by the drafters—a right to decide, through referendum, whether to secede or stay with Federal China after twenty five years of staying in the federation.

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1035 Wei Jingsheng, *The Courage to Stand Alone: Letters From Prison and Other Writings*, pp. 180-191.

1036 Yan Jiaqi, ‘Federal System: From Fantasy to Blueprint – Birth of a Proposed Draft Constitution for a Federal China’, unpublished paper, 8 February 1994, USA, <http://www.geocities.com/capitolhill/7288/fedconn.htm>, See also Dawa Norbu, *China’s Tibet Policy*, p. 440.

1037 ‘Federal System: From Fantasy to Blueprint-Birth of a Proposed Draft Constitution for a Federal China’, February 1994, USA. <http://www.geocities.com/capitolhill/7288/fedconn.htm>.

In so doing, they might have offered a solution that could satisfy those who seek genuine autonomy as well as those who strive for complete independence. As such the draft Constitution for a Federal China symbolises a far-sighted political undertaking by the liberal Chinese intellectuals who had the courage to acknowledge the “hidden forces of history and society” that are structured by sharp ethnic differences and dominated by Han hegemony. Judging by the CCP’s waiting game tactics, the protracted nature of the Sino-Tibetan dialogues and the Chinese government’s hesitations even to recognise the five rounds of dialogues as high-level discussions, the resolution of the Tibetan problems is clearly not in sight. Perhaps, the hope for the Tibetans lies with the Chinese liberals who despite their conflicting voices remain devoted to the concept of self-determination and open to possibilities of intimate discussions. Yet, the biggest challenge in realising this solution is the democratisation of China which may probably take an equally long time.

#### **4.8.5 Self Determination: the Legitimate Right of the Tibetan People**

##### **4.8.5.1 Self-Determination: The Right Option to Resolve Tibet’s Issue**

Irrespective of what political status one seeks for Tibet, self-determination, through plebiscite, should be the means to ascertain the aspirations of the Tibetan people. It would not only guarantee a genuine democratic approach with maximum representation that would embody the true will of the Tibetan people, but also reduce any possibility of dissensions caused by unequal representations. Secondly, implementation of the right to self-determination could allow the two parties to avoid revisiting history, which until now has proven to be a major source of contention. Furthermore, invoking the United Nations’ fundamental principles enshrined in the Charter and other human rights covenants would have the added advantage of involving the international organisation, whose support would be instrumental in successful application of this principle and also ensuring compliance from China who is not just a member of the United Nations but also a member of the Permanent Security Council. However, despite these advantages, it is essential to crosscheck whether Tibetans fulfill the criteria for demanding the right to self-determination.

What then are the determining factors that allowed many peoples and nations to utilise the right to self-determination over its entire history? The principle of

nationality appears to be one ever-present factor in granting of self-determination throughout its history. In the early stages of its development the principle of self-determination was put into practice in European regions, starting in the late eighteenth century, in the form of plebiscites—the first of which were conducted in Avignon, the Comtat Venaissin, Savoy, Nice and the Italian regions. The growing ideas of the time, that the consent of the governed was essential in deciding people’s fate, could have been strong inspiration for allowing people to decide their future status. However, in the pre-World War I era, the element of nationalism was vaguely apparent in the expression of self-determination in the form of close historical, racial and linguistic ties and people’s consent that were necessary conditions for granting of self-determination. Decades later, the rising nationalism of the early twentieth century had compelled the Allied powers, especially at the end of the First World War, to give due considerations to the nationality element in finding solutions to territorial problems.<sup>1038</sup> The disintegration of Austro-Hungarian and Ottoman empires and subsequent secession of many new states such as Czechoslovakia, State of Slovenes, Croats and Serbs were driven largely by nationalism. Within this period, Soviet Russia granted independence to Poland and Finland. It is a little trickier to list the main factors for granting self-determination in these cases because self-interests on the part of the victorious Allied powers played prominent roles in the process of redrawing new maps of Europe. Moreover, lack of clear-cut and “generally valid definition of the conditions a nation should satisfy before it could legitimately claim a right of self-determination” stood as a major obstacle for the practical application of the principle of self-determination.<sup>1039</sup> Be that as it may, it was obvious that the right of nationalities was considered and the consent of the governed sought in granting the right to self-determination.<sup>1040</sup>

In its latest developmental phase—the post-war UN era—self-determination was elevated from being a mere principle to “a universally applicable right”.<sup>1041</sup> The UN Charter and other important human rights covenants proclaimed “people” as the recipient of the right to self-determination. An abundant number of nations gained independence invoking the right to national self-determination after the Second World

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1038 D. Lloyd George, *The Truth about the Peace Treaties I*, pp. 31-32.

1039 Alfred Cobban, *The Nation State and National Self-Determination*, p. 68.

1040 Derek Heater, *National Self-Determination*, p. 37.

1041 Ibid., p.207.

War, especially during the decolonisation period. Yet a clear definition of people was missing in the UN instruments for a long time, which left room for various interpretations and thus enabled many “to read into it whatever meaning serves their purposes”.<sup>1042</sup> In the words of Professor Rupert Emerson: “[W]hile the concept lends itself to simple formulation in words which have a ring of universal applicability and perhaps of revolutionary slogans, when the time comes to put into operation it turns out to be a complex matter hedged in by limitations and caveats”.<sup>1043</sup> However, in 1990, Experts Committee on People’s Rights released a UNESCO report, which provides “the most exhaustive attribute list” to define people who deserve the right to self-determination. This is not without precedence, at least at a national level, as both Soviet Russia and China had provided quite elaborate definitions to the term nation in order to formulate their nationality policies, which at certain historical point also included self-determination for both the states. Comparison of the three reveals several common characteristics, which could be used to rationalise the interchangeability of the term people and nation.

Both the Marxist-Leninist tradition of the Soviet Union and the Maoist tradition of Communist China defined nation with almost the same attributes, namely commonality of language, historical tradition, culture, a certain stage of socio-economic development and a certain pattern of territorial distribution as distinctive attributes of a nation.<sup>1044</sup> The UNESCO report, however, included racial or ethnic identity and religious or ideological affinity on top of the attributes found in the Chinese and the Soviet list. The UNESCO report goes:

A people for the rights of people in international law, including the right to self-determination, has the following characteristics: {1} A group of individual human beings who enjoy some or all of the following common features: (a) A common historical tradition; (b) Racial or ethnic identity; (c) Cultural homogeneity; (d) Linguistic unity; (e) Religious or ideological affinity; (f) Territorial connection; (g) Common economic

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1042 Lung-chu Chen, ‘Self-Determination as a Human Right’, in *Toward World Order and Human Dignity*, p. 199.

1043 Rupert Emerson, ‘Self-Determination’, *The American Journal of International Law*, vol. 65, no. 3, July 1971, p. 459.

1044 For a detail Soviet definition of nation see, J.V. Stalin, *Marxism and National-Colonial Questions*, pp. 5-13. The Chinese Communist definition of nation Moseley, *The Party and the Nationalism Question in China*, pp. 29-45.

life. {2}The group must be of a certain number who need not be large (e.g. the people of micro States) but must be more than a mere association of individuals within a State; {3} The group as a whole must have the will to be identified as a people or consciousness of being a people—allowing that groups or some members of such groups, though sharing the foregoing characteristics, may not have that will or consciousness; and possibly; {4} The group must have institutions or other means of expressing its common characteristics and will for identity.<sup>1045</sup>

Despite the differences in language employed, it is apparent that all three had viewed a common historical tradition, language, culture, territorial contiguity, and common economic life as important attributes. Using the broader characteristics identified in the UNESCO report, which incorporates the attributes laid down by the Soviets and the Chinese, as a yard stick I will examine the Tibetans claim for their right to self-determination on the basis of being a people/nation.

1) *Historical Tradition*: Tibetan people share a long and rich common historical tradition that had spanned for thousands of years. Experts assumed that written records in Tibet date back to the time of old Tibetan empire which might have emerged as administrative record-keeping, correspondences within the nation and between nations and might have received influences to certain degree from Chinese and Indian recording keeping practices.<sup>1046</sup> Although the written historical records came into existence after the invention of Tibetan writing system, one would assume that some form of oral tradition must have existed prior to it as accounts of Tibet's earliest kings had come down in considerable detail. Generally, Tibetan historical records come in several different genres prominent among which are the annals (*Deb-Ther*), royal chronicles (*Gyal-rab*),<sup>1047</sup> origin of religion (*Choe-jung*), and exemplary biographies (*Nam-thar*). The earliest of the known annal is *Mani-kabum*, which is attributed as the work of Tibetan King Song-tsen Gampo of the seventh century. This

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1045 *International Meeting of Experts on Further Study of the Rights of the Peoples: Final Report and Recommendations*, Paris: UNESCO, 1990, pp. 7-8. Document number: SHS-89/CONF.602/7. Accessed from the UNESCO archive with online access at: <http://unesdoc.unesco.org/images/0008/000851/085152eo.pdf>

1046 Matthew T. Kapstein, *The Tibetans*, MA: Blackwell Publishing, Malden, 2006, p.24.

1047 The standard way of transliterating a Tibetan word is using the Wylie transliteration system. However, for the sake of easier pronunciation, especially for readers who are not familiar with the language, I will follow the less standard system of reproducing the sounds of the Tibetan words. Thus, *Gyal-rab*, meaning history, in Wylie scheme is written as *rGyal Rabs*, *Choe-jung* as *Chos-'byung*, *Nam-thar* as *rNam-thar*, and so on.

text, which contains clear accounts of the origin of the Tibetan race and the biography of the king himself, was discovered and excavated<sup>1048</sup> by Druythob Ngodup at the Trul-nang Temple in Lhasa.<sup>1049</sup> Other annals include *Deb-ther ngon-po* (Blue Annals), which is composed by Lotsawa Shon-nu-pal in 1478 and is considered as one of the foremost among the historical literatures of Tibet, *Deb-ther mar-po* (Red Annals) by Tshal-pa Kunga Dorje (1346-1363), which is a history of the early kings of Tibet, and more recently *Deb-ther kar-po* (White Annals) by Gedun Choephel, which details the reigns of Song-tsen Gampo and Trisong Detsen.<sup>1050</sup> Royal chronicles or *Gyal-rabs* are closer to the traditional historical accounts of kings, rulers, leaders and their achievements and policies. Well known amongst a gamut of royal chronicles in Tibetan language are *Clear Mirror of the Royal Chronicle and Origin of the Doctrine* written by Sonam Gyaltsan, *Zog-dan Shon-nui Ga-ton* by the Great Fifth Dalai Lama Ngawang Lobsang Gyatso in 1643, Regent Sangye Gyatso's *White Lapis Lazuli*, which was written in 1687.<sup>1051</sup>

The next genre of historical tradition is the so-called *Choe-jung* or Origin of the Doctrine, which primarily relates to the origin and spread of Buddhism, particularly in India and Tibet. With the wide spread of Buddhism throughout Tibet, *Choe-jung* eventually developed into a new and sophisticated genre for narrating cultural and religious history. The most popular *Choe-jung* are Buton Choe-jung, penned by one of the most prolific Tibetan writers Bu-ton in 1322, Pema Karpo's Choe-jung and *Gya-gar Choe-jung* (History of Buddhism in India)<sup>1052</sup> by Taranatha in 1608.<sup>1053</sup> For more specific study of historical episodes, particularly the period following the restoration of Buddhism in Tibet, we turn to the multitude of *Nam-thar* or biographies of renowned Tibetan Buddhist teachers, which have served as rich sources of historical information. Examples include biography of Ra Lotsawa, biography of Rinchen

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1048 In the Tibetan literature there is a group of texts known as *terma* or hidden treasures, which are believed to be philosophical and religious works by past masters. Interestingly, these masters bury the work once it was completed for various reasons as treasure for posterity. These buried treasures were discovered and excavated by adepts with special skill known as *terton*.

1049 Dan Martin, *Tibetan Histories: A Bibliography of Tibetan-language Historical Works*, London: Serindia, 1997, p. 16.

1050 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 336.

1051 Georges De Roerich, 'The Historical Literature of Tibet', in S. K. Sharma & Usha Sharma, *Encyclopaedia of Tibet Series 1: History and Geography of Tibet*, New Delhi: Anmol Publications Pvt. Ltd., 1997, pp. 46-54.

1052 Taranatha's *Chos- 'byung* had been translated into German by A. Schiefner.

1053 Georges De Roerich, 'The Historical Literature of Tibet', in *Encyclopaedia of Tibet Series 1: History & Geography of Tibet*, p. 51.

Sangpo,<sup>1054</sup> biographies of various Dalai Lamas. The shared historical experiences of the reigns of Tibetan kings, the rule of Sakya leaders and the leadership of the Dalai Lamas testify to a common historical understanding of the Tibetan people.

2) *Racial Identity*: The understanding of racial identity has evolved with the development in sociological theories. Experts now consider racial identity as a social construction, which “refers to a sense of group or collective identity based on one’s perception that he or she shares a common heritage with a particular racial group”.<sup>1055</sup> Despite the fact that the Tibetans and Chinese belong to the same Mongoloid race and share vague similarities in physiological characteristics,<sup>1056</sup> it is obvious that the two peoples have a very distinct and separate sense of racial identity. Irrespective of age, location, educational or social background, Tibetans consider themselves racially distinct from the Chinese based on their understanding of unique racial origins, common heritage and cultural identifications. Tibetans share few ethnogenic myths about the origin of their race, which are entirely different from the numerous Han Chinese myths, be it “‘creation legend’ of P’an Ku,” the ethnic ancestor Hou Chi or the myth of Huang Ti, the “Yellow Emperor”.<sup>1057</sup> The more indigenous Bon myth about the origin of Tibetan race mentions the story of cosmic eggs from which the first progenies of Tibetan race evolved.<sup>1058</sup> However, the most popular Tibetan ethnogenic myth involves the mating of a monkey and a rock ogress<sup>1059</sup> in the fields of Tsethang, which is located in the fertile valley of Yarlung. The Tibetans of all ages identify themselves with the story of the monkey and the ogress (*pha spre-rgan byang-chub sems-pa dang ma brag srin-mo*) and more importantly, to the two deities, Avalokiteshvara and Tara, who manifested themselves into those two beasts. Yet a third mythical origin depicts an Indian ancestry to the Tibetan race according to the contemporary Tibetan historian Shakabpa. He wrote that based on writings by Indian

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1054 Ibid. p. 51.

1055 Janet E. Helms, *Black and White Racial Identity: Theory, Research and Practice*, New York: Greenwood Press, 1990, p. 3.

1056 According to Shakabpa no major scientific research has been conducted to study the closeness of the Tibetan and the Mongoloid race. Tsepon W. D. Shakabpa, *Tibet: A Political History*, pp. 5-6.

1057 Owen Lattimore, *Inner Asian Frontiers of China*, p. 282.

1058 Tsung-lien Shen and Shen-chi Liu, *Tibet and the Tibetans*, Stanford: Stanford University Press, 1953, p. 18.

1059 In this myth the monkey was believed to be a manifestation of Avalokiteshvara, the Buddha of Compassion, who is considered the patron deity of Tibet, and the ogress was said to be a manifestation of Tara, the Buddha of Activities. Hence, these deities are intimately close to the hearts of Tibetan people, who daily recite the six-syllable mantra of Avalokiteshvara and frequently read the *Twenty One Praises of Tara*.



Pandit Shankara Pati a large number of learned Tibetans claimed that Rupati, a military commander of Kaurava army, and his followers fled to Tibet and populated the land after their defeat in a war with Pandavas.<sup>1060</sup> These mythical stories, which are deeply embedded in the Tibetan people's psyche, provide concrete psychological base for the Tibetans to develop an enduring sense of their distinct ethnicity and racial identity.

3) *Common Culture*: Looking across the widespread ethnic Tibet it is easily noticeable that Tibetans have a sophisticated, fully developed pan-Tibetan culture that is rooted deeply in Tibetan Buddhism and Bon practices. Since the medieval times the Tibetan culture, primarily in the form of religious practices and Buddhist philosophical understanding, has spread and been assimilated into a multiple of neighboring cultures thus acquiring "an element of universality".<sup>1061</sup> "Lamaism," writes Professor Nakamura of Tokyo University, "had some influence upon the vast inland area of Asia covering the interior of China proper, Mongolia, Manchuria, and Central Asia". This fact, he considers, quite remarkable when compared with what little influence Japanese religion has had upon foreigners.<sup>1062</sup> Tibetans have preserved and developed this Buddhist culture, in its entirety and somewhat integrated form, in large and small monasteries and nunneries that dotted the country. Especially unique is the full fledged Tantric Buddhist culture that is found almost exclusively on the Tibetan plateau.<sup>1063</sup> Distinctiveness of the culture is not just confined to the religious sphere but its manifest in secular cultural expressions such as food, dress, wedding ceremonies, medical practice, birth and death rituals are widespread. Obviously, like any other country Tibet too has received cultural influences from her neighbouring countries particularly, India, China and Mongolia. However, qualities that give "Tibetanness" to her culture have not been compromised in the assimilation processes. Tibet's isolation for many centuries and harsh terrains had preserved the purity of Tibetan culture. "Tibet is not only an ethnic group but a civilisation. The Tibetans stand distinctly from the Chinese, with whom they have nothing in

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1060 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 5.

1061 Hajime Nakamura, *Ways of Thinking of Eastern Peoples: India-China-Tibet-Japan*, Honolulu, Hawaii: East-West Center Press, 1964, p. 298.

1062 Ibid., p. 298.

1063 Giuseppe Tucci, *Tibet: Land of Snows*, New Delhi: Oxford and IBC, 1967, p. 12.

common,” observed a French Tibetologist Michel Peissel.<sup>1064</sup> For instance, the staple diet of Tibetans is *tsampa*, roasted barley flour, supplemented by dried yak meat and salted butter tea whereas the Chinese’s is rice. Similarly, the traditional Tibetan dress is *chupa*—a thick, long, coarsely woven woolen gown with wide pleats and tied at the waist with long-sash—that effectively provides protection against Tibet’s cold climate.<sup>1065</sup> In other cultural avenues too we can find distinctive Tibetan flavour such as in the wedding practice, which involves the groom’s family paying the bride’s mother a certain sum of money known as *nu-rin* or breast-price, and the bride hoisting prayer flag and pronouncing her equal rights in the new family.<sup>1066</sup> Such display of respect and equality for the wife was almost non-existent in the cultures surrounding Tibet. Festive occasions such as *Losar* or the Tibetan New Year, *Monlam*—the biggest religious festival in Tibet and *Shoton* or the dance festival are unique to the Tibetan world. Thus, the pervading commonality in culture provides Tibetans with a deep sense of social unity and cultural homogeneity.

4) *Linguistic Unity*: The language that Tibetan people use, both in spoken and written form, throughout Tibet is known as *bhod-skad* and *bhod-yig* respectively, or simply Tibetan in English. Linguists have classified Tibetan as belonging to Tibeto-Burman family because of its close resemblance to Burmese and other languages spoken in the Himalayan regions. However, in 1950s a theory that the Tibeto-Burman family is a subgroup of a larger language family known as Sino-Tibetan had been floated. Yet this theory has been contested by many linguists who claimed that “the available evidence does not demonstrate an actual filiation between Tibeto-Burman and the Sinitic languages,” other than ancient contacts with the Chinese cultural sphere which had produced old loan-words.<sup>1067</sup> According to Dr. Stephan Beyer, an expert linguist, “Tibetan is more distantly related to Burmese; even more distantly to languages spoken by Naked Nagas and other hill tribes of Assam; and more distantly still to Chinese. Tibetan has had a writing system since the seventh century, borrowed from an Indian prototype. India, in fact, has had a massive cultural impact on Tibet; but Tibetan itself is unrelated to Sanskrit or any other Indic language”.<sup>1068</sup>

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1064 *Tibetan Review*, vol. 8, no. 5, May-June, 1973.

1065 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 20.

1066 *Ibid.*, pp. 18-19.

1067 Matthew T. Kapstein, *The Tibetans*, p. 20.

1068 Stephan V. Beyer, *The Classical Tibetan Language*, Albany: State University of New York Press,

Although the spoken languages differ from region to region, they can all be considered as variations of the same Tibetan language. In fact “most types of Tibetan spoken today may be generally classified into one or another of four major dialect groups, corresponding to Western Tibet, Central Tibet, Kham and Amdo, but many local variations of each of these, as well as dialects that do not fit comfortably into such a scheme, are also known”.<sup>1069</sup> However, the classical written Tibetan, used throughout the nation, has served as the only literary language for the Tibetans for more than a millennium. In this written language exists the entire spectrum of Tibetan literature ranging from the translation of the whole set of Buddhist canons known as *kagyur* (translation of Buddha’s words) and *tangyur* (translation of commentaries by Indian Buddhist scholars), to philosophical and epistemological exegeses by Tibetan masters, from treatises on medicine, astrology, poetry to plays, epics and folk stories. United by such a profound and intricate language, Tibetans throughout ethnic Tibet invariably manifest close cultural connections and a strong sense of racial identification.

5) *Religious or Ideological Affinity*: Long before Buddhism was brought to Tibet in the seventh century, the Bon religion of Shang-shung was prevalent in the country, which even to this day is a living tradition. Initially brought to Tibet during the reign of King Song-tsen Gampo (617-649 C.E.), Buddhism slowly diffused throughout Tibet and by the thirteenth century had almost completely supplanted the local Bon religion. Tibetan Buddhism has evolved into four main schools,<sup>1070</sup> which Professor Dawa Norbu regarded as “‘Tibetanization’ of Buddhism” with unique Tibetan characteristics,<sup>1071</sup> that are generally differentiated by guru lineage, philosophical interpretations, ritual practices, dress codes, etc. Among the leading figures of each school there are multitudes who perform and encourage cross-religious practices. For instance, the Dalai Lama, who is commonly considered as belonging to the Yellow Hat School, receives important teachings, transmissions and instructions from masters of other schools. This blending of different schools is even more prevalent among the

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1992, pp. 7-8.

1069 Matthew T. Kapstein, *The Tibetans*, p. 21.

1070 The four schools in order of formation are *nying-ma* or the Old Translation School (9<sup>th</sup> century), *sa-kya* or the White Earth School (11<sup>th</sup> century), *bka’-brgyud* or the Instruction Lineage School (11<sup>th</sup> century), and *dGe-lugs* or the Yellow Hat School (14<sup>th</sup> century).

1071 Dawa Norbu, *Tibet: The Road Ahead*, p. 383.

lay Tibetans who listen to teachings from all the Tibetan Buddhist lineages and have equal reverence for the four schools. Geographically too, the distribution of the four schools across the high plateau is approximately uniform with different monasteries lying in close proximity to each other. The theory and practice of choosing reincarnation is yet another unique aspect of Tibetan Buddhism. No other country but Tibet has a fully developed system of discovering, recognising, and installing of reincarnated masters. Started in the thirteenth century with the recognition of Karma Pakshi<sup>1072</sup> as the reincarnation of Dusum Khyenpa,<sup>1073</sup> this tradition was eventually borrowed by the remaining three schools of Tibetan Buddhism. Throughout history and more so in the present, Tibetan Buddhism has constituted the cement of the society and performed a very intimate and important role in the daily lives of majority of the Tibetans. Thus, religious affinity has remained one of the strongest bonds that bind Tibetans into a very cohesive force.

6) *Territorial Connection*: Nestled high above the world and guarded by gigantic Himalayan ranges to the south, the Karakoram and Kun Lun ranges to the west and the Altyn Tagh ranges to the north, the Tibetan plateau has sustained the strong yet gentle Tibetan race since the beginning. Within her tough terrains and harsh climatic conditions, in the fertile valleys and desolate grasslands, Tibetan civilisation evolved and thrived; flowering into one of the most sophisticated cultures in the world. Known to the world as Tibet and *Bod Gangs-chan ljongs* (the land of snow) to the Tibetans, the land has been the homeland for the fierce and aggressive *kham-pa*, gentle and graceful *dbus-pa*, and hardworking and honest *amdo-wa*. Earliest mentions of this high plateau could be found in Western writings of Herodotus, the Father of History, of the fifth century B.C.<sup>1074</sup> Several centuries later Marco Polo, who lived in the Mongol Empire for two decades, provided more reliable and detailed information about Tibet and her people who, he wrote, had “a language of their own and liv[ed] in a great country embracing eight kingdoms and a vast number of cities and villages”.<sup>1075</sup> At an average elevation of 4000 metres above sea level Tibet’s landlocked territory towers above her neighbouring countries; India, Nepal and

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1072 Karma Pakshi (1203-1300), the second Karmapa, was identified as the reincarnation of the first Karmapa Dusum Khyenpa.

1073 Dusum Khyenpa (1110-1193) was the first in the Karmapa lineage.

1074 Charles Bell, *Tibet: Past and Present*, p. 22.

1075 Tsung-lien Shen & Shen-chi Liu, *Tibet and the Tibetans*, p. 5.

Bhutan to the south, Russia and Mongolia to the north, China to the east and Persia and Afghanistan to the west.

7) *Common Economy*: Traditionally, two important sections of the Tibetan community comprised the main force behind the nation's economy: 1) cattle-breeders who wandered across Tibet's wide grasslands and practised traditional animal husbandry; and 2) farmers who led sedentary lives and grew high altitude crops, primarily barley. The first group of people is known throughout the country as *drog-pa* and the second as *shing-pa*. Yet, there is a third group known as *samadrok* who practices a mixture of agriculture and animal husbandry. Clearly, "the basic economy of Tibet derives from patterns of cereal agriculture and animal husbandry developed by the early civilizations of the Near East, with a few variations that can be best explained in terms of the high-altitude environment".<sup>1076</sup> The extensive pastoral regions of Tibet supported a huge number of livestock and as much as 48 per cent of the people were nomads. Traders and agriculturists make up 32 per cent and the rest are monks and nuns.<sup>1077</sup> Crops that can grow in the harsh and cold climatic conditions of Tibet are barley,<sup>1078</sup> buck wheat, wheat, mustard, peas, and radishes.<sup>1079</sup> The important domesticated animals upon which Tibetans rely heavily for their living are sheep, goat, yak and cattle. The usefulness of some of these animals such as yak and sheep is surprisingly versatile. Yaks are not only the source of meat and dairy products which are essential parts of Tibet's diet, but its skin is used to build coracles, hair for making tents, ropes, and clothes, bones for other implements. It is also the most commonly used beast of burden. The distinctiveness of Tibet's economy is prominently shaped by her geographical location and the climatic conditions.

The descriptions above clearly demonstrate that Tibetan people not only have a shared perception of people-hood—they know themselves as *bodpa* and the Chinese as *gyami*<sup>1080</sup>—but also possess objectively verifiable common characteristics such as

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1076 Pedro Carrasco, *Land and Polity in Tibet*, Seattle: University of Washington Press, 1959, pp. 4-5.

1077 Tsepon W. D. Shakabpa, *Tibet: A Political History*, p. 6.

1078 Barley with its ability to grow at a very high altitude of up to fourteen thousand feet is the most suitable crop for Tibet's high elevation. It has become the nation's staple diet usually consumed as roasted grounded flour known all Tibetan as *Tsampa*. Tibetans are commonly referred to as 'red-faced nation' and 'the tsampa-eaters'.

1079 Matthew T. Kapstein, *The Tibetans*, p. 11.

1080 The Tibetan King Trisong Detsen had made clear-cut distinctions between the two nations by declaring on a historic stone pillar, which stands near the Temple in Lhasa, thus: "All to the east of

historical tradition, ethnicity, language, and so on that make Tibetans a distinct people, separate from the Chinese. Also numerous legal experts have established the distinctiveness of the Tibetans people based on the criteria set forth by the UNESCO.<sup>1081</sup> A preliminary report released by the International Committee of Lawyers for Tibet<sup>1082</sup> makes a case for Tibetans as qualifying as people thus:

The Tibetan people meet all the relevant tests of peoplehood. Tibetans are a distinct racial or ethnic group. Their language, Tibetan, is a Tibeto-Burmese language distinct from the Indian and Chinese languages and dialects. Tibetans are bound by their religion (Tibetan Buddhism) which is inextricably linked to the people's cultural, social and historic development. The Tibetans have a unique culture, passed down and developed through many thousands of years of separate and distinct history as expressed in the development of Tibetan fine art, literature, architecture, dress, dance, drama, medicine and way of life. They have an identifiable territory, Tibet (referred to by most Tibetans as Cholkhagsum, the three regions of Tibet) geographically and geologically distinct from China.<sup>1083</sup>

In January 1993, a group of legal experts, law professors and chief justices assembled in London to participate in an international conference of lawyers to investigate the controversial case of Tibet's position in international law. The five-day conference concluded with the release of 'The London Statement on Tibet,' and numerous recommendations to the United Nations and free nations of the world. Employing the set of criteria formulated by UNESCO to define a 'people', the Conference of International Lawyers concluded that the "Tibetan people satisfied the requirement

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the frontier is the country of Great China. All to the west is certainly the country of Great Tibet... At Che-shung-shek Chinese territory is met; below this China will show respect. At Tsen-shu-hwan Tibetan territory is met; above this Tibet will show respect...Tibetans shall be happy in Tibet and the Chinese happy in China". The entire translations of the inscriptions on the stone pillars in Lhasa are provided in *Tibet: Past and Present* by Charles Bell, pp. 271-272.

1081 The Permanent People's Tribunal, the Conference of International Lawyers, International Committee of Lawyers for Tibet and the Conference on the Question of Self-Determination of East Timor, Tibet, and Western Sahara all have concluded that the Tibetans are a distinct people with the right to self-determination. I will discuss some of these in greater details in the next section.

1082 International Committee of Lawyers for Tibet was established in 1989 by a group of committed human rights lawyers to work on issues relating to international law that could affect the Tibetan people. It changed its name to Tibet Justice Center in 2001 and under this name the group has organised and hosted various conferences on Tibet, published a series of reports on the current situation in Tibet. The official website of the TJC is <http://www.tibetjustice.org/>.

1083 International Committee of Lawyers for Tibet, *The Right of the Tibetan People to Self-Determination: A Preliminary Report*, San Francisco, 1991, p. 26.

and are a ‘people’ for international law purposes” and hence are “entitled, in the manner and to the extent allowed by international law, to the exercise of the right to self-determination”.<sup>1084</sup> The Conference also noted that the PRC Constitution and legislation recognised the Tibetan people as a separate and distinct nationality and accorded an ‘autonomous status’.<sup>1085</sup> Aside from those international legal experts, various governments and parliaments have also identified the Tibetans as a distinct people under the international law, which I shall discuss later. Thus, exhibiting all the characteristics of being a ‘people’, Tibetans are no more or no less a people than the British, the French or the Chinese whose people-hood is characterised by the same attributes mentioned above.

#### **4.8.5.2 Is China Legally Bound to Bestow the Right to Self-Determination?**

Having mentioned that the Tibetans possess all the attributes of people-hood and, therefore, have the right to self-determination as pronounced by the United Nations Charter and the Human Rights Covenants, a second question arises: Is China legally bound to bestow the right to self-determination to the Tibetans? In general, disagreements exist about the legality of the United Nations Charter. However, even those legal experts, who believe that the United Nations Charter is a mere set of moral principles and guidelines that do not have any binding effect on the signatory States, accept that international covenants and human rights instruments acquire legally binding status once a State had signed and ratified them. The Chinese Government, having signed and ratified the International Covenant of Economic, Social and Cultural Rights (ICESCR) on 29 October 1997 and 27 March 2001 respectively,<sup>1086</sup> is legally bound to observe all the articles in the covenant including Article 1 which categorically states that all peoples have the right to self-determination and by virtue of it they freely determine their political status and pursue their economic, social and cultural development. Gerald Schmitz writes:

Die beiden internationalen Menschenrechtspakte über bürgerliche und politische Rechte (CCPR) sowie über wirtschaftliche, soziale und

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1084 Robert McCorquodale and Nicholas Orosz (eds.), *Tibet: The Position in International Law*, p. 146.

1085 Ibid., p. 146.

1086 The Chinese Government signed the International Covenant on Economic, Social and Cultural Rights on 29 October 1997 and ratified on 27 March 2001, <http://www.ohchr.org/english/countries/ratification/3.htm>.

kulturelle Rechte (CESCR) enthalten in ihrem gleichlautenden Artikel 1 das Recht aller Völker auf Selbstbestimmung. Dabei ist unbestritten, daß durch diese Artikel echte völkerrechtliche Anspruchsnormen begründet wurden... Damit haben Völker unter Fremdherrschaft gegen den Staat, der diese Fremdherrschaft ausübt, jedenfalls dann einen Rechtsanspruch, wenn dieser Staat einem der beiden Verträge beigetreten ist.<sup>1087</sup>

However, instead of observing the articles of ICESCR, China strongly opposes the minority people's right to self-determination, especially at the United Nations, claiming any such actions as tantamount to interfering with the Chinese internal affairs and its right to territorial integrity, which they claim the United Nations' Charter guarantees to each and every Member State. By invoking Article 2 (7) of the Charter, China has successfully dodged allegations of denying the right to self-determination to the Tibetans and other minority peoples. A Chinese delegation to the United Nations puts it thus, "The right could not be interpreted as authorizing or encouraging any actions that dissolved or violated the territorial integrity and political unity of sovereign States, so long as those States acted properly and had governments representing all the people within their territories".<sup>1088</sup> However, this apparent conflict between the principle of self-determination and the principle of territorial integrity, which China exploits frequently, has been done away by the Vienna Declaration which maintains that only those States who comply with the principle of equal rights and self-determination of peoples have the right to call for territorial integrity. Both the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and the Vienna Declaration contain the same clause which states:

Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in

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1087 Gerald Schmitz, *Tibet und das Selbstbestimmungsrecht der Völker*, Berlin, Germany: Walter de Gruyter GmbH & Co., 1998, pp. 33-34. A rough translation of the above passage is provided here: "An identical article 1 of two international human rights covenants, viz., International Covenant of Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR), contains the right of all peoples to self-determination. The articles indisputably justified the standards of genuine international law requirements. In 1966, the UN General Assembly adopted the covenants and, in 1976, with its ratification the instrument became legally binding. Thus, people under a foreign rule have the legal right to make claims against the foreign ruler if the State has joined either of the two covenants". Translated by Tsetan Dolkar.

1088 Statement of Wang Min (China), UN Press Release HR/CN/880, 24 March 1999. This press release can be viewed at: <http://www.un.org/News/Press/docs/1999/19990324.hrcn880.html>.



part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.<sup>1089</sup>

The Declaration, thus, accords the right to claim territorial integrity as against claims of self-determination only to those States who conduct themselves as per the principles of equal rights, fundamental freedom, human rights and self-determination of peoples. Therefore, any State who violates or fails to uphold these principles loses its legitimacy to claim the right to territorial integrity. China's poor human rights records and the practice of genocidal policy in Tibet, thus, nullify its right to use territorial integrity as defence against the self-determination.

#### **4.8.5.3 International Recognition for Tibet's Right to Self-Determination**

Hannum Hurst maintains that the fulfillment of the right to self-determination depends "to a great extent on the external support from one or more of the Great Powers". Although Tibetans have not received that external support from any of the Super Powers, international recognition for the Tibetan people's right to self-determination has been relatively consistent. Beginning with the United Nations' response to Chinese invasion of Tibet and brutal suppression of the Tibetan people thereafter, many States have criticised China for its brutality in Tibet. The UN General Assembly passed three resolutions, one each in 1959, 1961 and 1965, expressing grave concerns over the violations of fundamental human rights and the infringement of right to self-determination in Tibet.<sup>1090</sup> Because of its importance and pertinence I will quote here the Resolution 1723 of 1961 which unambiguously states:

Gravely concerned at the continuation of events in Tibet, including the violation of the fundamental human rights of the Tibetan people and the

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1089 Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, G. A. Res. 2625, 25 GAOR, Supp. 28, U.N. Doc A/8028, The declaration can be viewed at, <http://www.un.org/documents/ga/res/25/ares25.htm>.

1090 The three resolutions passed by the UN General Assembly are G.A. Res. 1353 passed on 21 October 1959, G.A. Res. 1723 passed on 20 December 1961 and G.A. Res. 2079 passed in 1965 which reaffirms the previous two resolutions.

suppression of the distinctive cultural and religious life which they have traditionally enjoyed,

Noting with deep anxiety the severe hardships which these events have inflicted on the Tibetan people, as evidenced by the large-scale exodus of Tibetan refugees to the neighbouring countries,

Considering that these events violate fundamental human rights and freedoms set out in the Charter of the United Nations and the Universal Declaration of Human Rights, including the principle of self-determination of peoples and nations, and have the deplorable effect of increasing international tension and embittering relations between peoples,

1) Reaffirms its conviction that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;

2) Solemnly renews its call for the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination;

3) Expresses the hope that Member States will make all possible efforts, as appropriate, towards achieving the purposes of the present resolution.<sup>1091</sup>

Four years later, in 1965, the third United Nations resolution on Tibet (G.A. Res. 2079), which was supported by sixty countries including India, reaffirmed the previous two resolutions, viz., G.A. Res. 1353 (XIV) passed on 21 October 1959 and G.A. Res. 1723 (XVI) passed on 20 December 1961. Thereafter, no other resolutions on Tibet have been passed in the General Assembly. However, various organisations under the United Nations have dealt, discussed and debated Tibet issues in relation to *inter alia* human rights, fundamental freedom and the right to self-determination. The UN Secretary General's report on "the Situation in Tibet," which was presented to the 48<sup>th</sup> Session of the Commission on Human Rights in February 1992, distinctly acknowledged Tibetan people's legitimate claim to self-determination and viewed it as the necessary condition for the improvement of human rights situation in Tibet. The report maintains that "it is apparent that the Tibetan people have a legitimate claim to self-determination, and that the human rights situation in Tibet will not

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1091 DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, p. 5.

significantly improve until the Tibetan people are accorded the opportunity to exercise their right to self-determination”.<sup>1092</sup> In that same year, on 20 November, the Permanent Tribunal of Peoples (PTP)<sup>1093</sup> held a special meeting on Tibet in Strasbourg, France. The Tribunal, after examining the submitted evidences, concluded that the Chinese Government has consistently and continuously deprived the Tibetan people of their right to self-determination since 1950. Furthermore, the PTP branded the PRC Government’s massive population transfer policy and the regional territorial splitting policy as purposely undermining the ethnic and cultural distinctiveness and the unity of the Tibetan people.<sup>1094</sup>

Perhaps, the most prominent and credible non-governmental group to have voiced criticism against the gross violation of human rights, including suppression of freedom and denial of the right to self-determination in Tibet, is the International Commission of Jurists (ICJ) whose publication of several reports gave credence to the allegations made by the Tibetans. The ICJ has so far conducted four detailed studies on the Chinese Government’s policy and the Rule of Law in Tibet, examining specifically whether the Chinese Government has committed acts of genocide in Tibet and what status Tibet holds in International law. The findings were reported to the United Nations and other interested international organisations.<sup>1095</sup> In its first preliminary report, the ICJ had drawn *prima facie* conclusions, based on evidence gathered from Tibetan refugees, that the Chinese had attempted to commit cultural genocide in Tibet.<sup>1096</sup> The ICJ further asserted that China had violated at least eighteen of the thirty articles of the Universal Declaration of Human Rights in Tibet.<sup>1097</sup> Regarding the status of Tibet in the International Law the report concluded

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1092 Tibet Justice Center, ‘Secretary-General’s Report: Situation in Tibet’, *Legal Materials on Tibet*, Second edition, May 1997, p. 13. Also available at:

<http://www.tibetjustice.org/materials/un/un8.html>.

1093 The Permanent People’s Tribunal was founded in Bologna, Italy, on 26 June 1979, by a group of law experts, writers and intellectuals, for the purpose of looking beyond the States to the people of the world to examine their complaints and listen to their cases. Its members consist of international legal experts from Europe, Africa, Asia and America.

1094 ‘Permanent Tribunal of Peoples: Session on Tibet Verdict’, Strasbourg, France, 20 November 1992, [http://www.tpprc.org/documents/resolutions/others/Tribunal\\_20nov1992.pdf](http://www.tpprc.org/documents/resolutions/others/Tribunal_20nov1992.pdf).

1095 Till date there have been three publications of the findings by International Commission of Jurists on Tibet, viz., *The Question of Tibet and the Rule of Law* (1959), *Tibet and the Chinese People’s Republic: A Report to the International Commission of Jurists* (1960), and *Tibet: Human Rights and the Rule of Law* (1997).

1096 International Commission of Jurists, *The Question of Tibet and the Rule of Law*, pp. 68-71.

1097 Ibid., p. 58-59.

that “the matter cannot be dismissed out of hand as falling exclusively within the domestic jurisdiction of the People’s Republic of China”.<sup>1098</sup> A subsequent full report was compiled by the Legal Inquiry Committee on Tibet<sup>1099</sup> and published a year later in 1960, in which the Committee confirmed that “acts of genocide had been committed in Tibet in an attempt to destroy the Tibetans as a religious group, and that such acts are acts of genocide independently of any conventional obligation”.<sup>1100</sup> The Legal Inquiry Committee considered Tibet, “at the very least, a de facto independent State when the Agreement on Peaceful Measures in Tibet was signed in 1951, and the repudiation of this agreement by the Tibetan Government in 1959 was found to be fully justified”.<sup>1101</sup> Responding to tragic reports of continuous deterioration of human rights in Tibet from organisations such as the Sub-Commission on Prevention and Discrimination and Protection of Minorities, the ICJ once again carried out an in-depth study on the human rights situation and the rule of law in Tibet. The findings were published in its third report, *Tibet: Human Rights and the Rule of Law*, which exposed in great detail the gross human rights violation taking place in Tibet with a plethora of cases. It asserts that the “Tibetans are a ‘people under alien subjugation’, entitled under international law to the right of self-determination, by which they freely determine their political status. The Tibetan people have not yet received this right, which requires a free and genuine expression of their will”. The report earnestly calls upon the United Nations and nations everywhere “to pay heed to the plight of Tibet and to come to the defence of the fundamental principles of international law which have been trampled upon”.

Supports also came from other governmental and non-governmental institutions and groups for the Tibetan people’s right to self-determination, especially, in the 1990s. Parliaments from various parts of the world including the European Parliament, the US Senate and Congress, the German Bundestag, the Australian, Belgian, Swiss and Liechtenstein parliaments have passed resolutions urging the Chinese government to

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1098 Ibid., p. 99.

1099 Legal Inquiry Committee on Tibet, composed of well-known judges, professors and law practitioners of high standing, was an independent committee set up by International Commission of Jurists to further investigate the events that occurred in Tibet after the Chinese military force entered Tibet “in a detached and judicial manner”.

1100 Legal Inquiry Committee on Tibet, *Tibet and the Chinese People’s Republic: A Report to the International Commission of Jurists*, pp. 3-6.

1101 Ibid., p. 5.

grant self-determination to the Tibetan people. The European Parliament, in its Resolution A3-0369/92 of 15 December 1992 and Resolutions B4-0768/95/RCI and 0826/95/RCI of 17 May 1995, explicitly states that the Tibetans are a people under international law and that “in accordance with the United Nations Charter and the UN Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights they have a right to self-determination”.<sup>1102</sup> Furthermore, the resolutions earnestly called on the Chinese Government to consider “genuine self-determination” in the negotiation process.<sup>1103</sup> In a much bolder stance the Conference of European Parliamentarians, in their Statement of Action, affirmed China’s illegal occupation of Tibet as the root of Tibet’s problems and declared China’s repeated assertions of Tibet being an integral part of the motherland as nothing but false. More importantly, the European Parliament recognised the independent status of Tibet prior to its occupation and called for the restoration of Tibet’s Human Rights, including the right to self-determination.<sup>1104</sup> Subsequent resolutions of the European Parliament continued to reaffirm “the illegal nature of the invasion and occupation of Tibet,” the absence of genuine autonomy in Tibet, and Tibetan people’s right to self-determination.<sup>1105</sup>

The United States Congress has since 1991 passed a series of resolutions that categorically proclaimed Tibet as an illegally occupied country with “distinctive national, cultural, and religious identity separate from that of China,” and possessing all the attributes of statehood under the international law at the time of its occupation. The Congress has strongly called for “the restoration of human rights of the Tibetan people and their natural right of self-determination”.<sup>1106</sup> Similarly, the German Bundestag has passed three resolutions concerning the human rights violations in Tibet in 1987, 1996 and 2002. The latest resolution, passed on 14 March 2002, while acknowledging China’s ratification of the International Covenant on Economic,

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1102 DIIR, *International Resolutions and Recognitions on Tibet: 1959 to 2004*, p. 14 & 30.

1103 Ibid., p. 20.

1104 Ibid., p. 21.

1105 These resolutions, which I have listed here, are provided in *International Resolutions and Recognitions on Tibet: 1959 to 2004*. Resolution on the situation in Tibet and the disappearance of the six-year old Panchen Lama (Res. B4-0963, 0979, 0983, 1003, 1007 and 1011/95), 13 July 1995, pp. 35-36; the European Parliament Resolution of 13 March 1997, p. 45; European Parliament resolution on the Western China Poverty Reduction Project and the future of Tibet (Res. B5-0608, 0610, 0617, 0621 and 0641/2000), 6 July 2000, pp. 71-73.

1106 Ibid., H. Con. Res. 145 of 21 May 1991, pp. 102-3; S. Res. 169 of 8 September 1995, pp. 112-3; United States Public Law 102-138: Fiscal Years 1992 and 1993, 28 December, 1991, pp. 165-6.

Social and Cultural Rights requested the Chinese Government to bring about a systematic implementation of the covenant and initiate a direct dialogue with the Dalai Lama to negotiate a Statute on Tibet that would be founded on Tibetans' right to self-determination.<sup>1107</sup> Likewise, the Australian Parliament has endorsed the three resolutions passed by the United Nations General Assembly in the early years of China's occupation of Tibet and considered them still applicable and pertinent.<sup>1108</sup>

Despite these factors the Tibetan people's right to self-determination has remained a right unrealised. I attribute this to three main reasons—the Communist Party's disregard of minority people's rights, lack of practical and consistent support from the super powers and intermittent efforts by the Tibetans in demanding this right. As I have discussed earlier the CCP changed its nationality policy when they came to power and rejected the right to national self-determination in favour of national unity, claiming that “the self-determination of the ethnic minorities had been achieved because of the liberation of all the Chinese people, including the ethnic minorities, from the domination of foreign imperialism after the founding of the PRC”.<sup>1109</sup> This adherence to the concept of national unity over the minority rights prompts the CCP to object the Tibetan people's right to self-determination. Therefore, China has always responded vociferously whenever the issue of Tibet is raised in the United Nations. Notably, the three General Assembly resolutions on Tibet, two of which asserted Tibetan people's right to self-determination, were passed before the PRC became a member of the United Nations. Secondly, the combination of the rigid Chinese oppositions and the insufficient support from the superpower nations has rendered any discussions on Tibet at the UN practically unproductive. Hurst correctly states that the bestowal and the practical implementation of the right is dependent on the external support of Great Powers and in Tibet's case not only is there no superpower supporting her claim to self-determination but on the contrary there is China who has the power to veto and block any such resolutions. Thirdly, the Tibetans have not earnestly pursued self-determination as an alternative means to resolve their issue. Aside from the regular calls for the right to self-determination by the Tibetan

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1107 Ibid., ‘Human Rights and Development in Tibet’, German Bundestag, Berlin, 18 April 2002, pp. 216-219.

1108 Ibid., This resolution was passed by the Australian Senate on 6 December 1990 and by the House of Representative on 6 June 1991, pp. 198-199.

1109 Suisheng Zhao, *A Nation State by Construction: Dynamics of Modern Chinese Nationalism*, pp. 174-175.

Government-in-Exile and organisations such as the Tibetan Youth Congress, the only time self-determination was seriously considered as an alternative path was in 1997 when it was put forward as one of the four options for Referendum to decide the future course of the Tibetan struggle. However, due to popular support for the Middle Way Approach, the referendum was not conducted and self-determination was not manifested in any practical policy. Therefore, in the Tibetan Government-in-Exile's political mechanism self-determination has neither been structured to suit the unique Tibetan case, nor has its possibilities been explored to fit the Tibetan needs. Yet, as Richard Falk writes, the right to self-determination is to be won "on the concrete plane of political struggle"<sup>1110</sup> and, therefore, the Tibetan struggle should encapsulate self-determination as an effective means and compel the United Nations to guarantee this right to the Tibetan people. Moreover, the Tibetan Government-in-Exile's aspirations to establish a democratic system of government in Tibet resonates well with the ideals of self-determination, which encourages open competition and participation of maximum amount of population in the process of political decision-making. Furthermore, the principles of self-determination embodies "basic civil liberties, such as freedom of information and organisation, and a political order that guarantees and maintains the rule of law to make regular political contestation and participation possible and meaningful".<sup>1111</sup> These characteristics—that of open competition, highest possible societal participation in political decision-making and basic civil liberties—that the principle of self-determination so thoroughly represents, constitute the three dimensions of the "root concept" of democracy according to Philipps University's Professor Dirk Berg-Schlosser.<sup>1112</sup> Hence, the actual implementation of self-determination will have the potential to lay the bedrock for a democratic Tibet, which is also the core aspiration of the Middle Way Approach.

Given the feasibility of the right to self-determination, several practical issues must be considered in the conduct of plebiscite to determine the aspiration of the Tibetan mass—issues such as who will participate in it, what choices will be offered and under whose auspices it will be conducted. I will briefly venture into these issues here. The

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1110 Richard Falk, 'The Content of the Right of Self-Determination', in Robert McCorquodale and Nicholas Orosz (eds.), *Tibet: The Position in International Law*, p. 81.

1111 Dirk Berg-Schlosser, 'Concepts, Measurements and Sub-Types in Democratization Research', Dirk Berg-Schlosser (ed.), *Democratisation: The State of the Art*, Wiesbaden, Germany: VS Verlag für Sozialwissenschaften, 2004, p. 52.

1112 Ibid., p. 53.

answer to the first question is quite obvious. All the Tibetans from entire ethnic Tibetan areas, including the compact Tibetan communities from Qinghai, Gansu, Sichuan and Yunnan provinces, will have the right to vote in a plebiscite as they all share same culture, language, religion, historical traditions and hence constitute the collective Tibetan race. For various reasons the UN is the most natural choice for the organisation, which will oversee the actual conduction of plebiscite. Because of its impartiality it could represent a fair and reliable process, because of its monitoring experiences in East Timor and other regions the process could run smoothly and because of the sanctity of the organisation it could generate trust in the hearts of the Tibetan people which is essential for the process. The second question warrants much more considerations and a careful approach. “Genuine autonomy” and the *status quo* are two obvious choices. However, the question of whether to include independence as an option is very tricky since including it in the options might cause the Chinese to reject the plebiscite outright and hence, prevent the plebiscite from ever taking place, but excluding independence as an option would mean offering only a partial self-determination. Hurst Hannum speaks of a new definition of self-determination in the twenty-first century which “exclude[s] the possibility of unilateral, nonconsensual secession,”<sup>1113</sup> but he asserts the importance of the “need to recognise the international preference for solutions that put people first, rather than borders”.<sup>1114</sup> In a similar tone Lung-chun Chen writes that “if blind adherence to ‘territorial integrity’ results only in massive deprivations of human rights in that territory, the regime has already lost its *raison d’être*. Without the allegiance of the people living in the territory, ‘territorial integrity’ is hollow and empty”.<sup>1115</sup> Thus, irrespective of what options are listed, there is a consensus among the scholars that bestowal of the right to self-determination primarily considers the protection of human rights, human dignity and welfare of the people.

## Conclusion

To sum up, the Tibetan struggle has passed through at least several phases and its policy has undergone a few major changes during the past forty eight years. The first

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1113 Hurst Hannum, ‘Self-Determination in the Twenty-First Century’, in Hurst Hannum and Eileen F. Babbit (ed.), *Negotiating Self-Determination*, Lanham: Lexington Books, 2006, p.61.

1114 Ibid., p. 77.

1115 Lung-chu Chen, ‘Self-Determination as a Human Right’, in *Toward World Order and Human Dignity*, p. 242.



two decades of their struggle, from 1959 to the late 1970s, constituted the initial phase of the struggle, which focused primarily on infrastructure building and awareness raising. The overarching goal of the Tibetan struggle then was complete independence of Tibet. In 1979, the deliverance of Deng Xiaoping's message to the Tibetan leaderships stating that except for independence everything else was negotiable initiated a major change in the Tibetan political struggle, which for the first time deviated from the path of independence. However, this compromised policy did not succeed in procuring positive responses from the PRC partly because China was experiencing internal power struggle, which eventually led to a dramatic change in Chinese leaderships and sacking of Hu Yaobang and other like-minded Chinese leaders, and partly because of the shifting geopolitical necessities. This period could be considered as constituting the second exploratory phase of the Tibetan struggle. The internationalisation of Tibet issue and the formulation of Middle Way Approach comprised the next phase in the Tibetan struggle. The announcement of the Five Point Peace Plan on 21 September 1987 and the Strasbourg Proposal on 15 June 1988 by the Dalai Lama, appealing to the world community for support in resolving the Tibet issue and in protecting Tibet's unique culture and fragile environment, heralds the internationalisation phase. The Strasbourg Proposal clearly laid out the political model that the Dalai Lama envisioned—essentially a unified Tibet governed by the Tibetans based on genuine democratic system with the foreign affairs and defence under the administration of the PRC Central Government. Based on the principles of the Strasbourg Proposal, the Middle Way Approach was developed into a comprehensive policy of negotiation, which by winning unanimous support from the Tibetan communities became the official stand of the Tibetan Government-in-Exile in 1997. Recent significant events in this Middle Way phase are the six rounds of talks between the Special Envoys of the Dalai Lama and the Chinese Government representatives, all of which have been devoted to creating conducive environment, establishing a climate of openness and promoting understanding of each other's positions. The differences in viewpoints that each side has discovered so far are “numerous, large and fundamental” that would take considerable efforts to resolve.<sup>1116</sup>

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1116 Testimony of Lodi G. Gyari, Special Envoy of H.H. the Dalai Lama, at US Congress' House Foreign Affairs Committee Hearing on Status of Tibet Negotiations held on 13 March 2007 in Washington, D.C., <http://www.tibet.net/en/diir/sino/sstd/envoystat.html#11>.

Inside Tibet, the decade of 1990s was marked by increased severity of Chinese policies in Tibet. The PRC Government intensified and expanded its previous economic reforms and accredited the economic development as the best tool of maintaining social and political stability in Tibet. The implementation of 62 development projects by the Third Work Forum on Tibet, which targeted the expansion of energy transportation, telecommunication networks, agriculture and water conservancy, produced adverse results of increasing the number of Chinese immigrants in Tibet, exploitation of Tibet's mineral resources and destruction of Tibet's ecology. The new development projects and construction works created after the Third Work Forum facilitated an onrush of Chinese immigrants that greatly changed the demographic makeup of Tibet. More importantly, the Third Work Forum attacked the core beliefs of the Tibetan people by launching a re-education campaign in the monastic institutions across Tibet, limiting religious activities, and conducting denunciation campaigns against the Dalai Lama. The Strike Hard campaign, yet another direct consequence of the Third Work Forum, was especially designed to destroy the link between religion and the Tibetan nationalism and to uproot the influence of the Dalai Lama. Thus, the PRC's Tibet policy in the last decade of the last century was exceptionally severe on the religious freedom of the Tibetan people and intensely assimilatory in nature. Furthermore, the Tenth Five Year Plan (2001-2005) bolsters these objectives even further and reveals China's relentless efforts at reducing the Tibetan population inside Tibet to an insignificant minority and undermining the distinct Tibetan national identity.

The situation inside Tibet continues to deteriorate with China totally disregarding all international hues and cries. In Tibet human rights violations continue unabated: arbitrary arrests and detentions of politically conscious and vocal Tibetans, harsh reprisals against those who dare to criticise the government, severe restrictions and interference by the State in religious matters, implementation of population transfer policy on a much broader scale are taking place. With their struggle in stalemate and China getting ever more suppressive, belligerent and caustic, indications of restlessness and aggressiveness amongst the Tibetans are on the rise. The recent historic Tibetan Mass Movement of August 2007, which gathered an unprecedented 20,000 Tibetan demonstrators and the indefinite hunger strikes in New Delhi are signs of pent up frustrations bursting at the seams of national tolerance. Inside Tibet, even

after fifty years of Chinese occupation, Tibetan masses continue to express their deep resentment against the PRC Government for denying the Tibetan people their basic human rights. Songs, which had been one of the most effective socio-political forms of expression for the common Tibetan populace, are employed more and more frequently by the Tibetans to convey dissatisfactions and frustrations with the authorities. In the last couple of decades many songs have crossed the Himalayas—carrying messages of a resilient people languishing immensely under the draconian rule of the CCP. The famous Drapchi singing nuns voiced their daily experience of pain from prison:

1) Song of sadness in our hearts  
We sing this to our brothers and friends  
What we Tibetans feel in this darkness will pass  
The food does not sustain body or soul  
Beatings impossible to forget  
This suffering inflicted upon us  
May no others suffer like this  
In the heavenly realm, the land of snows  
Land of unending peace and blessings  
May Avalokiteshvara Tenzin Gyatso  
Reign supreme throughout all eternity.<sup>1117</sup>

2) We've sung a song of sadness  
We've sung it from Drapchi prison  
Like the happy and joyful snow mountains  
We've sung this song for the sake of freedom  
Previously, a spiritual realm of dharma  
Now, [it] is changed to a barbaric prison ground.  
Even at the cost of our lives, we Tibetans,  
Will never lose our courage.  
O, what a sad fate we Tibetans have!  
To be tortured mercilessly by barbarians.  
We don't have freedom  
Under the yoke of these barbarians.

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<sup>1117</sup> Appendix 12 contains several sample contemporary songs from Tibet and one common element they all possess is the lyrics that are nationalistic in their content.

Popular Tibetan singers too have reflected the deep yearnings of Tibetan people in their songs. The band Tsanpoi Metag sings:

Tibet, the Snow Land, this realm of joy,  
For long is captured by the vicious Chinese.  
Tibetan people's suffering is ever increasing  
It is time to give freedom to Tibet.  
Tibet, the Snow Land, that repository of knowledge  
For long is possessed by the barbaric Chinese  
Tibetan cultural rights are ever diminishing  
It is time to give freedom to Tibet.  
Tibet, the Snow Land, this land of spirituality,  
For long is ruled by the savage Chinese  
Tibetan religious value is ever dwindling  
It is time for our Supreme Lama to return to Tibet.  
Tibet, the Snow Land, this treasure trove of rich minerals  
For long is used by the wild Chinese  
The treasure trove is robbed nearly empty  
It is time for the Tibetans to take charge.

These songs represent the true yearnings for freedom that majority of the Tibetan people share. It is the basic right of each and every one of the Tibetan people to choose their aspirations, which could only be fulfilled by some form of plebiscite or referendum conducted under the auspices of the United Nations. Such a referendum may yield either independence, genuine autonomy or some other form of political solution, even including the current status quo, as the aspiration of the majority of the Tibetan people. This practice will be in concordance with the thinking of the Dalai Lama and his Exile Government as they have reiterated over and again that the six million Tibetans will make the ultimate decision. It will have an added benefit of laying to rest the Chinese Government's suspicion that it is only the Dalai Lama and few Tibetan elites who, in their desire to bring back the old system, are struggling against the Chinese Government and bring true understanding of the Tibetan people's aspirations. The UN recognition of the Tibetan people as deserving the right to self-determination provides an excellent foundation, which is further bolstered by recognitions from various government and parliaments. Support for the Tibetan people's right to self-determination also exists among the Chinese pro-democracy

groups, which I think will prove to be an essential factor in a democratic China. More significantly, China's ratification of the ICESCR situates it in a legally bound position to provide the right to self-determination to its people and assist the UN in implementing this right. Yet until now, the PRC Government has remained resolute in their objection against any attempts at discussing the issue at the UN. The intense inflexibility and intolerance to any other political groups displayed by the Chinese Communist Party to retain its powers and the CCP's reluctance to make even a slight compromise have stood as the biggest obstacles in resolving the Sino-Tibetan conflict. These standpoints will also hinder the bestowal and implementation of the right to self-determination. Therefore, complete democratisation of China will certainly facilitate these processes. However, instead of proposing a radical change of government I recommend a certain degree of political leniency on the part of the Chinese Communist Government, especially regarding Tibet, so as to facilitate the resolution of the protracted Sino-Tibet conflict for the mutual benefits of Tibetan people as well as Chinese people.

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4. Gonpo Tashi, age 24 from Jatsa Dewa, Machen district, TN/Nepal/Tape4
5. Lhakpa Bhuti, age 21 from Dickyi Tsoe, Tingkye district, TN/Nepal/Tape 5
6. Paldon, age 27 from Dickyi Tsoe, Tingkye district, TN/Nepal/Tape6
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11. Pa Tsering, age 25 from Karze district, TN/Nepal/Tape11
12. Chang Drang, a nun age 30 from Drama Drong, Kyegudo district, TN/Nepal/12
13. Dechen Pema, a nun, age 16 from Wobaling, Lhasa, TN/Nepal/13
14. Lobsang Norbu, a monk, age 25 from Tsang Drong, TN/Nepal/14
15. Tenpa, age 20 from Gyaisa Dewa, Machen district, TN/Nepal/15
16. Lhagon, a monk, age 25 from Tharshu Drong, Sershul district, TN/Nepal/16
17. Tselho, a monk age 29 from Shagtsa Drong, Sershul district, TN/Nepal/17
18. Yangmo Tso, age 24 from Sanak Dewa, Tsegor Thang district, TN/Nepal/18
19. Tsomo Thar, age 23 from Nyinpa Dewa, Yadzi district, TN/Nepal/19
20. Tsering Gonpo, a monk, age 24 from Drelung Dewa, Yushul district, TN/Nepal/20
21. Anonymous, 41 from Langgora, Gonjo district, TN/Nepal/21
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23. Tenzin Yutso, age 8 from Rupa Tso, Karze district, TN/Nepal/22
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29. Sonam Lhundup, age 9 from Zongkha Dewa, Gongjo district, TN/Nepal/22
30. Lhamo, age 10 from Zomey Dewa, Gonjo district, TN/Nepal/22

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## **APPENDIX 1**

### **Agreement of the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet, “Seventeen-Point Agreement”, 23 May 1951**

The Tibetan nationality is one of the nationalities with a long history within the boundaries of China and, like any other nationalities, it has performed its glorious duty in the course of the creation and development of our great Motherland. But over the last one hundred years or more, imperialist forces penetrated into China, and in consequence also penetrated into the Tibetan region and carried out all kinds of deceptions and provocations. Like previous reactionary governments, the Kuomintang reactionary government continued to carry out a policy of oppression and sowing dissension among the nationalities, causing division and disunity among the Tibetan people. And the local government of Tibet did not oppose the imperialist deceptions and provocations, and adopted an unpatriotic attitude toward our great Motherland. Under such conditions, the Tibetan nationality and people were plunged into the depths of enslavement and suffering.

In 1949, basic victory was achieved on a nation-wide scale. In the Chinese People's War of Liberation, the common domestic enemy of all nationalities-the Kuomintang reactionary government –was overthrown, and the common foreign enemy of all the nationalities- the aggressive imperialist forces-was driven out. On this basis, the founding of the People's Republic of China and of the Central People's Government was announced. In accordance with the Common Program passed by the Chinese People's Political Consultative Conference, the Central People's Government declared that all nationalities within the boundaries of the People's Republic of China are equal, and that they shall establish unity and mutual aid and oppose imperialism and their own public enemies, so that the People's Republic of China will become a big fraternal and co-operate family, composed of all its nationalities, that within the big family of nationalities of the People's Republic of China, national regional autonomy shall be exercised in areas where national minorities are concentrated, and all national minorities shall have freedom to develop their own spoken and written languages and to preserve or reform their customs, habits, and religious beliefs, while the Central People's Government shall assist all national minorities to develop their

political, economic, cultural and educational construction work. Since then, all nationalities within the country, with the exception of those within the areas of Tibet and Taiwan, have gained liberation. Under the unified leadership of the Central People's Government and the direct leadership of higher levels of People's Government, all national minorities are fully enjoying the right of national equality and have established, or are establishing, national regional autonomy.

In order that the influences of aggressive imperialist forces in Tibet might be successfully eliminated, the unification of the territory and sovereignty of the People's Republic of China accomplished, and national defence safeguarded; in order that the Tibetan nationality and people might be freed and return to the big family of the People's Republic of China to enjoy the same rights of national equality as all other nationalities in the country and develop their political, economic, cultural and educational work, the Central People's Government, when it ordered the People's Liberation Army to march into Tibet, notified the local government of Tibet to send delegates to the central authorities to conduct talks for the conclusion of an agreement on measures for the peaceful liberation of Tibet.

In the latter part of April 1951, the delegates with full powers of the local government of Tibet arrived in Peking. The Central People's Government appointed representatives with full powers to conduct talks on a friendly basis with the delegates with full powers of the local government of Tibet. As a result of these talks, both parties agreed to conclude this agreement and guarantee that it will be carried into effect.

1. The Tibetan people shall unite and drive out imperialist aggressive forces from Tibet: the Tibetan people shall return to the big family of the Motherland-the People's Republic of China.
2. The local government of Tibet shall actively assist the People's Liberation Army to enter Tibet and consolidate the national defence.
3. In accordance with the policy toward nationalities laid down in the Common Program of the Chinese People's Political Consultative Conference, the Tibetan people have the right of exercising national regional autonomy under the leadership of the Central People's Government.

4. The Central Authorities will not alter the existing political system in Tibet. The Central Authorities also will not alter the established status, functions, and powers of the Dalai Lama. Officials of various ranks will hold office as usual.
5. The established status, functions, and powers of the Dalai Lama and the Panchen Ngoerhtehni shall be maintained.
6. By the established status, functions, and powers of the Dalai Lama and of the Panchen Ngoerhtehni are meant the status, functions and powers of the Thirteenth Dalai Lama and the Ninth Panchen Ngoerhtehni when they were in friendly and amicable relations with each other.
7. The policy of freedom of religious belief laid down in the Common Program of the Chinese People's Political Consultative Conference shall be carried out. The religious beliefs, customs, and habits of the Tibetan people shall be respected, and lama monasteries shall be protected. The central authorities will not effect a change in the income of the monasteries.
8. Tibetan troops shall be reorganised by stages into the People's Liberation Army, and become a part of the national defence forces of the People's Republic of China.
9. The spoken and written language and school education of the Tibetan nationality shall be developed step by step in accordance with the actual conditions in Tibet.
10. Tibetan agriculture, livestock raising, industry, and commerce shall be developed step by step, and the people's livelihood shall be improved step by step in accordance with the actual conditions in Tibet.
11. In matters related to various reforms in Tibet, there will be no compulsion on the part of the central authorities. The local government of Tibet should carry out reforms of its own accord, and when the people raise demands for reform, they shall be settled by means of consultation with the leading personnel of Tibet.
12. In so far as former pro-imperialist and pro-KMT officials resolutely sever relations with imperialism and the KMT and do not engage in sabotage or resistance, they may continue to hold office irrespective of their past.
13. The People's Liberation Army entering Tibet shall abide by all the above mentioned policies and shall also be fair in buying and selling and shall not arbitrarily take a single needle or thread from the people.

14. The Central People's Government shall conduct the centralised handling of all external affairs of the area of Tibet; and there will be peaceful coexistence with neighbouring countries and establishment and development of fair commercial and trading relations with them on the basis of equality, mutual benefit, and mutual respect for territory and sovereignty.
15. In order to ensure the implementation of this agreement, the Central People's Government shall set up a military and administrative committee and a military area headquarters in Tibet, and apart from the personnel sent there by the Central People's Government, shall absorb as many local Tibetan personnel as possible to take part in the work. Local Tibetan personnel taking part in the military and administrative committee may include patriotic elements from the local government of Tibet, various districts, and leading monasteries; the name list shall be drawn up after consultation between the representatives designated by the Central People's Government and the various quarters concerned, and shall be submitted to the Central People's Government for appointment.
16. Funds needed by the military and administrative committee, the military area headquarters, and the People's Liberation Army entering Tibet shall be provided by the Central People's Government. The local government of Tibet will assist the People's Liberation Army in the purchase and transport of food, fodder, and other daily necessities.
17. This agreement shall come into force immediately after signature and seals are affixed to it.<sup>1118</sup>

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1118 "Text of Agreement on Measures for Peaceful Liberation of Tibet," NCNA, 27 May 1951, in Survey in China Mainland Press.



## APPENDIX 2

### United Nations General Assembly, Resolution 1353 (XIV),

21 October, 1959

The General Assembly

*Recalling* the principles regarding fundamental human rights and freedoms set out in the Charter of the United Nations and in the Universal Declaration of Human Rights adopted by the General Assembly on 10 December 1948,

*Considering* that the fundamental human rights and freedoms to which the Tibetan people, like all others, are entitled include the right to civil and religious liberty for all without distinction,

*Mindful* also of the distinctive cultural and religious heritage of the people of Tibet and of the autonomy which they have traditionally enjoyed,

*Gravely* concerned at reports, including the official statements of His Holiness the Dalai Lama, to the effect that the fundamental human rights and freedoms of the people of Tibet have been forcibly denied them,

*Deploring* the effect of these events in increasing international tension and embittering the relations between peoples at a time when earnest and positive efforts are being made by responsible leaders to reduce tension and improve international relations,

1. *Affirms* its belief that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;
2. *Calls* for respect for the fundamental human rights of the Tibetan people and for their distinctive cultural and religious life.<sup>1119</sup>

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1119 ICJ, *Tibet: Human Rights and the Rule of Law*, 1997, p. 359.

**APPENDIX 3**  
**United Nations General Assembly, Resolution 1723 (XVII),**  
**20 December 1961**

The General Assembly,

Recalling its Resolution 1353 (XIV) of 21 October 1959 on the question of Tibet,

*Gravely concerned* at the continuation of events in Tibet, including the violation of the fundamental human rights of the Tibetan people and the suppression of the distinctive cultural and religious life which they have traditionally enjoyed,

*Noting with deep anxiety* the severe hardships which these events have inflicted on the Tibetan people, as evidenced by the large-scale exodus of Tibetan refugees to the neighbouring countries,

*Considering* that these events violate fundamental human rights and freedoms set out in the Charter of the United Nations and the Universal Declaration of Human Rights, including the principle of self-determination of peoples and nations, and have the deplorable effect of increasing international tension and embittering relations between peoples,

1. *Reaffirms its conviction* that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;
2. *Solemnly renews its call* for the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms, including the right to self-determination;
3. *Expresses the hope* that Member States will make all possible efforts, as appropriate, towards achieving the purposes of the present resolution.<sup>1120</sup>

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1120 ICJ, *Tibet: Human Rights and the Rule of Law*, 1997, p. 360.

**APPENDIX 4**  
**United Nations General Assembly, Resolution 2079 (XX),**  
**18 December 1965**

The General Assembly,

*Bearing in mind* the principles relating to human rights and fundamental freedoms set forth in the Charter of the United Nations and proclaimed in the Universal Declaration of Human Rights,

*Reaffirming* its resolutions 1353 (XIV) of 21 October 1959 and 1723 (XVI) of 20 December 1961 on the question of Tibet,

*Gravely concerned* at the continued violation of the fundamental rights and freedoms of the people of Tibet and the continued suppression of their distinctive cultural and religious life, as evidenced by the exodus of refugees to the neighbouring countries,

1. *Deplores* the continued violation of the fundamental rights and freedoms of the people of Tibet;
2. *Reaffirms* that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;
3. *Declares its conviction* that the violation of human rights and fundamental freedoms in Tibet and the suppression of the distinctive cultural and religious life of its people increase international tension and embitter relations between peoples;
4. *Solemnly renews* its call for the cessation of all practices which deprive the Tibetan people of the human rights and fundamental freedoms which they have always enjoyed;

*Appeals* to all States to use their best endeavors to achieve the purposes of the present resolution.<sup>1121</sup>

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1121 ICJ, *Tibet: Human Rights and the Rule of Law*, 1997, p. 361.

## APPENDIX 5

### Party Secretaries and Chairman of the TAR

(Information to create this list are gathered from *Who's Who in China's Leadership: Local Government* which can be accessed at <http://www.china.org.cn/english/features/leadership/87033.htm>, *Resistance and Reform in Tibet*, Robert Barnett and Shirin Akiner (ed.), and ChinaVitae, available at <http://www.chinavitae.com/location/9560.034>.)

#### Party Secretaries in the TAR

November 1951–August 1965. Zhang Jingwu (Chang Ching-wu). First Secretary of the Tibet Work Committee of the CCP.

November 1960–September 1965: Tan Guansan, may have been acting First Party Secretary or a high ranking Deputy Secretary.

September 1965–September 1967: Zhang Guohua, Party Secretary of the TAR, Commander of the Tibet Military Region, October 1951 to September 1967.

September 1968–August 1971: Zeng Yongya, Chairman of the Tibet Revolutionary Committee, Commander of the Tibet Military Region from February 1964 until January 1968.

August 1971–May 1980. Ren Rong, the TAR Party Secretary and Chairman of the Tibet Revolutionary Committee.

May 1980–1985: Yin Fatang, Political Commissar of the Tibet Military District and Party Secretary of the TAR.

1985–July 1988: Wu Jinghua (Yi nationality), Party Secretary of the TAR.

December 1988–1992: Hu Jintao, Party Secretary of the TAR.

December 1992–Autumn 2000: Chen Kuiyuan, Deputy Secretary and Secretary of the TAR CPC.

Autumn 2000–Dec 2004: Guo Jinlong, Party Secretary of the TAR CPC.

Dec 2004–2006: Yang Chuantang, Party Secretary of the TAR CPC.

Nov 27, 2005: Zhang Qingli, Acting Party Secretary of the TAR CPC.

May 2006: Zhang Qingli, Party Secretary of the TAR CPC.

## **Chairmen of the TAR**

1951–1959: the 14<sup>th</sup> Dalai Lama, Head of Local Government.

1959–1964: Panchen Lama, Acting Director of the PCART, March 1959 to December 1964; Deputy Director, May 1956 to March 1959.

March 1965–September 1967: Ngapo Ngawang Jigme, Acting Director of the PCART, March to September 1965; First Chairman of the TAR from September 1965 to September 1967; Deputy Chairman of PCART, March 1959 to March 1965.

September 1968–August 1971: Zeng Yongya (Tseng Yung-ya), Chairman of the Tibet Revolutionary Committee.

June 1971–August 1979: Ren Rong, Chairman of the Revolutionary Committee Party Secretary.

September 1979–February 1981: Tian Bao alias Sangye Yeshe, Chairman of the TAR. Vice-Governor of Xikang (Sikang) from November 1950 to January 1953. Vice-Governor of Sichuan from December 1955 to May 1967. Vice-Chairman of the Tibet Revolutionary Committee from 1968 to 1969. Deputy Party Secretary of the TAR from August 1971 to August 1978. Deputy Political Commissar of the Tibet Military Region from May 1970 to June 1971. Second Political Commissar of the Tibet Military District from 1973 to February 1981. Deputy Party Secretary of Sichuan from 1981-1982.

April 1981–August 1982: Ngapo Ngawang Jigme, Second term as Chairman of the TAR. Remained Chairman of the TAR People's Congress; later became a Vice-Chairman of the Standing Committee of the National People's Congress.

April 1983–1985: Dorje Tseten, Chairman of the TAR; Vice-Chairman of the TAR People's Congress for six months in 1981.

1985–April 1990: Dorje Tsering, Chairman of the TAR.

May 1990–May 1998: Gyaltsen Norbu, Chairman of the TAR; Deputy Party Secretary.

May 1998–May 2003: Legqog, Chairman of the TAR.

May 2003– Jampa Phuntsok, Chairman of the TAR.

## APPENDIX 6

### Interviews Conducted in Nepal and Dharamsala, SUMMER 2005

No.	Names	Age / Sex	Origin	Occupation	Days since arrival
1.	Yama Gonpo	24/m	Kacha village, Karze district, Kham, Sichuan. (Ch: Luhuo)	Monk from Mi-nyak monastery.	3 weeks
2.	Tashi	42/m	Sahidewa village, Sangchu district, Kanlho TAP. (Ch: Xiahe)	Butter seller in Lhasa.	1 week
3.	Jigme Gyamtso	26/m	Bharma Dewa, Machu district, Kanlho TAP. (Ch: Maqu)	-	2 weeks
4.	Gonpo Tashi	24/m	Jatsa Dewa, Machen district, Golog TAP. (Ch: Maqin)	-	1 month
5.	Lhakpa Bhuti	21/f	Dickyi Tsoe, Tingkye district, Shigatse, TAR. (Ch: Dingjie)	Road construction worker	1 month
6.	Paldon	27/f	Dickyi Tsoe, Tingkye district, Shigatse, TAR. (Ch: Dingjie)	Road construction worker	1 month
7.	Dickyi Tsomo	17/f	Dingri district, Shigatse, TAR. (Ch: Dingri)	Farmer	2 weeks
8.	Ngawang Gyurmey	25/m	Kyido village, Jomda district, Chamdo, TAR. (Ch: Jiangda)	Monk at Zigar Monastery	1 day
9.	Jayang Sangmo	21/f	Cikodrong, Jomda district, Chamdo, TAR. (Ch: Jiangda)	Farmer	2 weeks
10.	Jayang Lodoe	24/m	Cikodrong, Jomda district, Chamdo, TAR. (Ch: Jiangda)	Farmer	2 weeks
11.	Pa Tsering	25/m	Karze District, Karze TAP, Kham. (Ch: Ganzi)	Farmer	1 month

12.	Chang Drang	30/m	Dramad village, Yushul/Kyegudo district, Yushul TAP, (Tsongon Shingchen). (Ch: Yushu/Jiegu)	Nomad/nun	1 Week
13.	Dechen Pema	16/f	Lhasa, TAR	Nun Shugseb Nunnery	1 Week
14.	Lobsang Norbu	25/m		Monk	1 Week
15.	Tenpa	20/m	Gyalsa Dewa, Machen district, Golog TAP, Amdo Tsongon. (Ch: Maqin)	Nomad	22 days
16.	Lhagon	25	Sersbul district, Karze TAP, Sichuan. (Ch: Shiqu)	Monk/Nomad	1 day
17.	Tselho	29/f	Shagtsa Drong, Sersbul district, Karze TAP, Sichuan. (Ch: Shiqu)	Monk	2 days
18.	Yangmo Tso	24/f	Sanak Dewa, Tsegor Thang district, Tselho TAP, Amdo Tsongon Shingchen. (Ch: Xinghai)	Nomad	3 months
19.	Tsomo Thar	23/f	Nyinpa Dewa, Yadzi district, Tsoshar TAP, Amdo Tsongon Shingchen. (Ch: Xunhua)	Singer	1 day
20.	Tsering Gonpo	24/m	Drelung Dewa, Yushul/Kyegudo district, Yushul TAP, Tsongon Shingchen. (Ch: Yushu/Jiegu)	Monk	5 Months
21	Anonymous*	41	Langgora, Gonjo district, Chamdo TAR. (Ch: Gongjue)	-	25 days

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\* Some interviewees wanted to remain anonymous for security reason and as such very little personal information was divulged.

### Interviews with Tibetan Children in Nepal, Summer 2005

No.	Name	Age	Origin	Occupation	Days since arrival
1.	Gonpo Dhundup	13	Rupa Tso, Karze district, Karze TAP, Kham. (Ch: Ganzi)	student	9 days
2.	Tenzin Yutso	8	Rupa Tso, Karze district, Karze TAP, Kham. (Ch: Ganzi)	student	9 days
3.	Kelsang Gonpo	6	Rupa Tso, Karze district, Karze TAP, Kham. (Ch: Ganzi)	student	1 month
4.	Chontso	13	Tashi Dewa, Jomda district, Chamdo, TAR. (Ch: Jiangda)	student	9 days
5.	Tashi Choephel	11	Mi-nyak, Karze District, Kham, Sichuan. (Ch: Luhuo)	student	1 month
6.	Tashi Dhondup	11	Lhasa, TAR.	student	20 days
7.	Tenzin Yangphel	12	Suthonda Dewa, Karze district, Kham, Sichuan. (Ch: Luhuo)	student	5 days
8.	Sonam Lhundup	9	Zongkha Dewa, Gonjo district, Chamdo, TAR. (Ch: Gongjue)	student	4 days
9.	Lhamo	10	Zomey Dewa, Gonjo district, Chamdo, TAR. (Ch: Gongjue)	student	7 days



### Interviews with Four Political Prisoners in Dharamsala, July 2005

No.	Name	Age	Origin	Occupation
1.	Anonymous*	-	Medogyama village, Medogang xian	-
2	Anonymous	-	Tolung Monastery, Medogyama village, Medogang xian	Monk
3	Anonymous	-		-
4	Anonymous	-		-

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\* These political prisoners who escaped Tibet in the June/July 2005, wanted to remain anonymous for security reason and as such very little personal information was divulged. However, they provided accounts of their experience in Chinese prisons and political and human rights conditions in Tibet.

## APPENDIX 7

### Chart Representing the Arrival of New Tibetan Refugees (from 1990 to 2000)

(Chart designed and prepared by Tsetan Dolkar based on information provided by Tibetan Refugee Welfare Office, Kathmandu, Nepal.)

<b>Month/ Year</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>Total</b>
January	0	134	174	269	213	164	129	140	204	192	216	<b>1835</b>
February	0	73	92	176	101	118	57	35	70	122	104	<b>948</b>
March	0	71	37	154	162	53	64	104	102	66	222	<b>1035</b>
April	0	44	60	276	273	94	173	219	215	50	162	<b>1566</b>
May	0	88	129	299	270	67	114	156	225	235	129	<b>1712</b>
June	0	33	156	559	166	59	188	187	237	120	155	<b>1860</b>
July	0	210	211	162	130	53	85	94	183	98	104	<b>1330</b>
August	89	152	216	168	103	98	131	176	113	88	110	<b>1444</b>
September	107	303	250	303	169	92	242	119	336	165	187	<b>2273</b>
October	189	284	279	258	236	240	147	386	444	205	268	<b>2936</b>
November	360	297	413	571	379	159	469	449	570	449	422	<b>4538</b>
December	642	357	418	502	340	159	326	171	410	392	240	<b>3957</b>
<b>Yearly Total</b>	<b>1387</b>	<b>2046</b>	<b>2435</b>	<b>3697</b>	<b>2542</b>	<b>1356</b>	<b>2125</b>	<b>2236</b>	<b>3109</b>	<b>2182</b>	<b>2319</b>	

Note: 1. As the chart indicates the escapees generally choose the winter season to escape from Tibet as the border control is comparatively more relax during the season due to extremely cold weather over the Himalayas.

2. Tibetan Refugee Welfare office, Nepal started keeping the records of the newcomers in only in August, 1990.

## APPENDIX 8

### Length of Transportation Routes in the TAR and Ethnic Tibetan Regions.

Region	Year	Total Highways and the Total National percentage	Paved (km)	Non-Paved (km)
National	1995	1157009	1043390	113619
	2000	1402698	1216013	186685
	2005	1870661	1515826	354835
THE TAR	1995	22391 (1.93%)	8234	14157
	2000	22503 (1.6%)	10647	11856
	2005*	42203 (2.25%)	10131	32072
QINGHAI	1995	17223 (1.48%)	14887	2336
	2000	18679 (1.33%)	15178	3501
	2005	28059 (1.49%)	25322	2737
GANSU	1995	35194 (3.04%)	28345	6849
	2000	39344 (2.8%)	29393	9951
	2005	40751 (2.17%)	31613	9138
SICHUAN*	1995	100724 (8.7%)	94490	6234
	2000	90875 (6.47%)	69723	21152
	2005	113043 (6.04%)	76402	36642
YUNNAN	1995	68236 (5.89%)	64483	3753
	2000	109560 (7.81%)	102550	7010
	2005	167050 (8.92%)	110876	56174

Source: From the website of the Chinese Government National Bureau of Statistics;  
<http://www.stats.gov.cn/english/statisticaldata/yearlydata/>.

Note: \* In the TAR the length of roads almost doubled from 2000 to 2005. The increase in the road length seems to be primarily due to the almost trebling of unpaved roads.

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\* Apparently, the total length of the transportation routes in Sichuan as well as the paved roads for the year 2000 have some anomaly as the figures indicated a decrease in both the total and the paved road. It could be due to statistical error!

**APPENDIX 9**  
**TRAIN SCHEDULE**

<b>Train</b>	<b>Train no. (to Lhasa)</b>	<b>Train no. (from Lhasa)</b>	<b>Route</b>	<b>Distance (km)</b>	<b>Time Taken</b>
Beijing- Lhasa Train	T27	T28	Beijing, Shijiazhuang, Xi'an, Lanzhou, Xining, Geermo  (Gormo/Golmud), Naqu (Nagqu) and Lhasa	4,064	47h 30m
Chengdu- Lhasa Train	T22/23	T24/21	Chengdu, Guangyuan, Baoji, Lanzhou, Xining, Golmud, Nagu (Nagqu) and Lhasa	3,360	48h 10m
Lanzhou- Lhasa Train	K917	K918	Lanzhou, Xining, Haergai (Hairag), Keke (Hoh Yanchang),  Delinga, Golmud, Tuotuohe, Anduo  (Amdo), Naqu (Nagqu), Dangxiong (Damxung) and Lhasa	2,188	28h 45m
Xining- Lhasa Train	N917	N918	Xining, Haergai (Hairag), Keke (Hoh Yanchang), Delingha,  Golmud, Tuotuohe, Anduo (Amdo), Anduo  (Amdo), Naqu (Nagqu) and Dangxiong (Damxung) and Lhasa	1,972	26h 23m
Chongqing- Lhasa Train	T222/T223	T224/T2 21	Chongqing, Guang'an, Dazhou, Xi'an, Baoji, Lanzhou, Xining,  Golmud and Naqu (Nagqu), Lhasa.	3,654	47h 8m
Shanghai- Lhasa Train	T164/T165	T166/T1 63	Shanghai, Wuxi, Nanjing, Bengbu, Zhengzhou, Xi'an,  Lanzhou, Xining, Golmud and Naqu  (Nagqu) and Lhasa.	4,373	51h

Guangzhou-Lhasa Train	T264/265	T266/263	Guangzhou, Changsha, Wuchang, Zhengzhou, Xi'an, Lanzhou, Xining, Golmud and Naqu (Nagqu) and Lhasa.	4,980	58h
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Source: Chinese official websites,

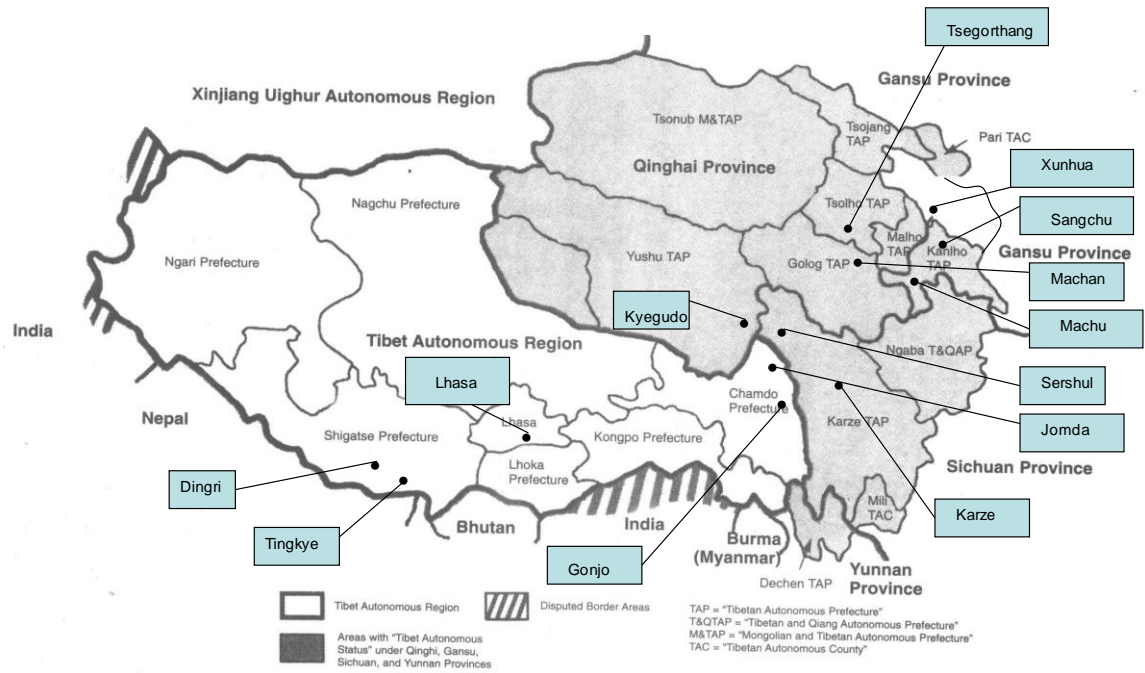
[http://tibet.cn/en/newfeature/qtrailway/about/t20060628\\_127365.htm](http://tibet.cn/en/newfeature/qtrailway/about/t20060628_127365.htm)

[http://english.gov.cn/special/2006-06/26/content\\_320460.htm](http://english.gov.cn/special/2006-06/26/content_320460.htm)

<http://www.chinatt.org/Lhasa.htm>.

## APPENDIX 10

### The Map of the TAR and Surrounding Tibetan Areas Identifying the Districts from where the Interviewees Came



**APPENDIX 11**  
**Chinese Interviewees, Spring 2006**

<b>Names</b>	<b>Date</b>	<b>Location</b>
Xu Wenli	7 April 2006	Rhode Island
Wei Jingsheng	15 April 2006	Washington
Shengde Lian	15 April 2006	Washington
Cao Changching	16 April 2006	New York
Dana Cheng	17 April 2006	Connecticut
Chen Kuide	18 April 2006	Virginia
Harry Wu	18 April 2006	Virginia
Chen Pokong	2 May 2006	New York
<u>China Democracy Party</u>	2 May 2006	Empire State Building, Manhattan
Xie Wanjun (President)		
Yanqin Bao		
Shan Wang		
Ze Gua		
Weixing Lu		
Ming Lu		
Baoxiang Xie		
Hu Ping	3 May 2006	New York
<b>Tibetan Interviewees</b>		
Tashi Wangdu	11 April, 2006	New York
Tsewang Phuntsok	11 April, 2006	New York

## APPENDIX 12

### Song from Tibet

#### 1. Returning in Thought <sup>1122</sup>

Lyric: Drug-gyang, Melody: Tashi Dorje, Singers: Yadong, Kunga, Gangshug, Tsewang

Translated by Tsetan Dolkar

Snowy hills loom as heavenly fence  
Pure blue rivers sparkle as fripperies of moon and sun  
Soft carpets of stars are but meadows immense  
High above in sky is this unexcelled dwelling own,  
Land of Snow, the treasure filled roof of the world,  
Is our father-land, ye Tibetans behold.  
Oh! Land of Snow, our mother strong;  
I came feeling the warmth of your womb  
And from your lap, this day, shall I sing a song.  
Oh! Land of Snow, our mother strong;  
Listen, you taught us this auspicious chant,  
A gift garnered traveling across our father-land.  
Six sentient beings are our parents dear  
Ahimsa, peace and joy are mental wealth we bear  
[In us runs] blood that could inspire wisdom and courage  
We are the people who dwelled on the Land of Snow  
We are the settlers who staked the first claim on these high ranges  
We are Tibetan, the red-faced nation.  
Oh! Tibetan brothers and sisters  
I came recalling your love profound  
Today shall I dance in your delightful presence.  
Look, this is the circle dance that you passed down  
To you we offer this gift in joyful union.  
To you we offer this gift in joyful union.

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<sup>1122</sup> The translation of the song was first published in *Chökor*, TIBETHAUS-Journal, Frankfurt, Ausgabe Nr. 43, Juli 2007.



<http://www.youtube.com/watch?v=nZv67scGLjs>

## 2. Mirror Reflecting True Words

Lyric, Melody, Singer: Tsan-poi Me-tag

Translated by Tsondue Samphel

Tibet, the Snow Land, this realm of joy,  
For long is captured by the vicious Chinese.  
Tibetan people's suffering is ever increasing  
It is time to give freedom to Tibet.

Tibet, the Snow Land, that repository of knowledge  
For long is possessed by the barbaric Chinese  
Tibetan cultural rights are ever diminishing  
It is time to give freedom to Tibet.

Tibet, the Snow Land, this land of spirituality,  
For long is ruled by the savage Chinese  
Tibetan religious value is ever dwindling  
It is time for our Supreme Lama to return to Tibet.

Tibet, the Snow Land, this treasure trove of rich minerals  
For long is used by the wild Chinese  
The treasure trove is robbed nearly empty  
It is time for the Tibetans to take charge.

<http://www.youtube.com/watch?v=oIu2rTjDB1A>

## 3. Snowlanders

Singer: Dolma Kyab

Translated by Tsondue Samphel

An affectionate people who has walked across the eastern part of world

After reaching the peaks of Snow Mountains they gazed far at the Land of Pure Bliss  
Even though the gale blows my life like sands in the desolate place of samsara  
The heart is still spacious and big to hold the six mother sentient beings.  
[We are] the descendant of ancient kings  
We are Tibetans, the Snow Landers.  
To you I tell my stories when I am happy  
To you I share my melancholic songs.  
Riding high on the horns of powerful Yak is the red-faced nation  
On the banks of Yarlung Tsangpo we rode, the galloping sound carried to four  
directions.  
The fate of the Three Cholkha is written in wrinkles on the face of our mothers old

From the pure ancestral land rise songs to the blue expanse of space

[We are] the descendant of ancient kings  
We are Tibetans, the Snow Landers.  
To you I tell my stories when I am happy  
To you I share my melancholic songs.  
The Snow Landers  
[We are] the descendant of ancient kings  
We are Tibetans, the Snow Landers.  
The Snow Landers  
The Snow Landers.

<http://www.youtube.com/watch?v=r8GL8UQkXC0>

**Declaration in lieu of Oath**

I hereby declare that this dissertation is my own work. The works of other people that I have quoted in my dissertation are either put in quotation marks or in blocked form. Wherever necessary I have provided names of authors and book information.

Signed: Tsetan Dolkar

Date: 29 February 2008